RULES AND ORDERS UNDER ACT XI OF 1886.

TRAMWAYS.

EXTENDING THE ACT TO THE BOMBAY PRESIDENCY, EXCEPT TO BOMBAY AND KARACHI AND ITS SUBURBS.

Notn. No. 84, Public Works, dated 9th November 1887, B. G. G., 1887, Pt. I, p. 899.

Under the provisions of Section 2 of the Indian Tramways Act, 1886, the Governor in Council is pleased to extend the said Act to the whole of the Presidency of Bombay, except the City of Bombay and the town of Karáchi and its suburbs.

EXTENDING THE ACT TO THE CANTONMENT OF KARACHI.

Notn. No. 4974, General, dated 21st September 1904, B. G. G., 1904, Pt. I, p. 1249.

Under the provisions of Section 2 of the Indian Tramways Act, 1886, the Governor in Council is pleased to extend the said Act to the Cantonment of Karáchi.

NASIK TRAMWAY ORDER, 1888.

Notn. No. 1, Public Works, dated 9th January 1889, B. G. G., 1889, Pt. I, p. 21.

It is hereby notified that an application has been made by the Indian Railways Feeder Lines Company, Limited, with the consent of the District Local Board of Násik and of the Municipality of Násik, under Section 4 of the Indian Tramways Act, 1886, for an Order authorizing the construction of a tramway from Násik Road Station to Násik; and a draft of a proposed Order authorizing the construction of the said tramway having been published in the *Bombay Government Gazette* under Notification No. 14, dated the 15th May 1888, and the objections and suggestions which have been made with respect to the said draft having been duly considered, the following Order is published for the information of all persons interested :—

ORDER.

Order made under Section 6 of the Indian Tramways Act, 1886, by the Governor of Bombay in Council, with the previous sanction of the Governor General in Council, authorizing the Indian Railways Feeder Lines Company, Limited, to construct a tramway in the Násik District of the Bombay Presidency.

Preliminary.

Short title.

1. This order may be cited as the "Násik Tramway Order, 1888."

Interpretation clause.

2. The several words and expressions to which meanings are assigned by the Indian Tramways Act, 1886, have in this Order the same respective meanings: Provided that in this Order the expression "the tramway" or "the undertaking" shall mean the tramway and works and undertaking by this Order authorized.

Conditions applicable.

3. The tramway authorized by this Order shall be constructed, maintained and worked in accordance with the Indian Tramways Act, 1886, and subject to the provisions of this Order.

Promoters.

Promoters.

4. The Indian Railways Feeder Lines Company, Limited, shall be the Promoters for the purpose of this Order and are in this Order referred to as "The Promoters."

Construction of Tramway.

Description of Tramway authorized.

5. The Promoters may construct and maintain, subject to the provisions of this Order, and in accordance with the plans and sections deposited for the purpose of this Order, the tramway hereinafter described, with all proper rails, bearings, offices, stables, carriage-houses, works and conveniences connected therewith or for the purposes thereof, and may work and use the same.

The tramway authorized by this Order is a single line, with necessary passing-places, to be laid on the provincial road from the Násik Road Station of the G. I. P. Railway Company to a point two hundred yards west of the Násik City Municipality toll-bar, known as Bhagur Darwaja toll-bar, a distance of less than five miles.

Promoters authorized to use road subject to limitation.

6. The Promoters may use, for the construction of the tramway, but not for the purpose of any building or erection connected therewith, the portions of the provincial road, five and a half feet only in width, measured from the gutter or, where the road is in embankment, from the edge of such embankment on the north side of the road; and, for the purpose of constructing passing-places or of crossing bridges or culverts, may approach the centre of the road as far as shall in each instance be deemed necessary by the Government Engineer in executive charge of the road: Provided that if any addition to, or alteration of, any bridge or culvert is, in the opinion of the said Engineer, rendered necessary by the tramway, the same shall be carried out by, and at the expense of, the Promoters to the satisfaction of the Engineer aforesaid.

Remainder of road to be left free.

7. The portion of the road which the Promoters are not authorized by or under this Order to use for the purpose of the tramway shall be left free and unencumbered for ordinary traffic, and no obstruction whatever shall be placed thereon, or caused thereto, without the previous written consent of the said Engineer.

Use of road for stacking materials.

8. The Promoters may stack road-metal and other materials for the construction or maintenance of the tramway within the road-limits on the north side of the road, but the same shall be stacked in such a manner as not to

impede or endanger the traffic on the said road; and the said limits on the north side of the road shall not be used by the Engineer aforesaid for the purpose of stacking Government materials.

Lopping trees without permission or urgent necessity prohibited.

The Promoters shall not, without the consent of the Collector in writing, cut down or lop any tree growing along or by the side of the road, except that in case of emergency the Promoters may remove or lop the branches or any portion of a tree which projects or hangs in such a manner as to be a source or danger or impediment to the tramway traffic.

Powers of Government to authorize interference with tramway in carrying out necessary works.

9. In the event of any necessity arising for carrying out in or on land occupied by the tramway any work connected with any sewer, drain, telegraph-line, gas-pipe water-pipe, or any thing whatsoever, the Governor in Council, the local authority, the road authority, or any person or persons interested in the carrying out of such work or works, may, by notice in writing to the Promoters, call upon the Promoters to show cause why any portion of such tramway should not be closed for traffic to enable such work or works to be carried out in safety.

After considering the necessity for closing such portion of the tramway as well as any objections or suggestions which may be made by the Promoters, the Governor in Council, or such person or persons as the Governor in Council may appoint by general or special order for the purpose, may direct that the Promoter shall close any portion of the tramway for such a period of time and under such other conditions as, in the circumstances of the case, may appear to be necessary, and may also direct that a temporary tramway in place of the portion removed shall be constructed and used, and may prescribe any conditions under which such temporary tramway shall be constructed and used.

The Promoters shall be bound to comply with such directions and allow the work referred to therein to be carried out: Provided that, unless otherwise directed, any portion of the tramway which it may be necessary to remove in order to the carrying out of such work, shall be removed and re-instated by, or at the expense of, the Government, the local authority, the road authority, or the person or persons as the case may be, by whom the work is carried out.

Conditions on which Promoters allowed to interfere with structures in or on road.

In the event of the Promoters desiring that any drain, telegraph-line, gas-pipe, water-pipe or other thing whatsoever in or on the land occupied or to be occupied by the tramway should be interfered with, or that the position of any one of them should be altered, the Promoters shall give notice in writing to the local authority and the road authority and to any officer or any person in charge of or interested in the thing or things to be interfered with or altered, and shall also submit an application to the Governor in Council; and after considering the application of the Promoters, as well as any objections or suggestions that may be made with reference to such application, the Governor in Council, or such person or persons as the Governor in Council may appoint by general or special order for the purpose, may pass such order on the application as in the circumstances of the case may appear fit: Provided that the Promoters shall not in any case be entitled to require any interference with, or alteration of, any sewer or drain or the position thereof.

Acquisition of land required by Promoters.

10. The Promoters may from time to time acquire such land, other than the portion of the provincial road which they are authorized by or under this order to use, as they require for the purposes of the undertaking by agreement made through and with the concurrence of the Collector; and all expenses incurred by the Collector in connection therewith shall be borne by the Promoters. The Promoters may from time to time, with the approval of the Collector but not otherwise, sell or otherwise dispose of any such land which may not be necessary for such purposes; and they may construct on any such land or may take on lease any office, shed, stable, carriage-house or other building for the purposes of the undertaking.

Date for commencement, completion and opening of tramway.

11. The tramway shall be commenced on or before the 1st February 1889, and shall be completed and opened for public traffic on or before the 31st January 1890.

Limit of gauge and width of carriages.

12. The tramway shall be constructed on a gauge of two feet six inches and no carriage used on the tramway shall project outwards beyond the inside edge of the rail more than two feet and six inches on each side.

Description of rails to be used.

13. The rails of the tramway shall be grooved rails and such as the Governor in Council may approve, and shall be laid and maintained flush with the road.

Promoters making crossings, &c., to comply with orders of Government.

14. Subject to the approval of the Governor in Council, the Promoters may from time to time hereafter make all such crossings, passing-places, junctions and other works, in addition to those particularly specified in and authorized by this Order, as may from time to time be necessary or convenient to the efficient working of the tramway or for providing access to any stable, carriage-house or work of the Promoters.

Temporary tramways in place of portion interrupted.

15. When from accident or flood, by reason of the execution of any work affecting the surface or soil of the road along which the tramway is laid, it is in the opinion of the Governor in Council necessary or expedient temporarily to remove or discontinue the use of the tramway, or any part thereof, the Promoters, subject to such conditions and in accordance in all respects with such regulations as the Governor in Council may from time to time make, may construct and maintain, so long as occasion may require, a temporary tramway in lieu of the tramway or part of the tramway removed or discontinued.

Motive Power.

Animal power only to be used.

16. The carriages used on the tramway shall be moved by animal power only. No steam power or other mechanical power shall be used for this purpose, except under the authority of, and subject to such conditions as shall be prescribed in a further Order obtained under Section 8 of the Indian Tramways Act, 1886.

Speed authorized.

The maximum speed shall not exceed eight miles an hour, or such other speed as may from time to time be authorized by the Governor in Council; and no vehicle shall pass through any [illegible]moveable facing point at a speed exceeding four miles an hour.

Maintenance of Tramway.

17. The Promoters shall at times maintain and keep in good condition and repair, to the satisfaction of the Governor in Council aforesaid and so as not to be a danger or annoyance to the ordinary traffic, the rails and substructure of the tramway.

Promoters' liability to maintain and repair tramway.

18. The Promoters shall maintain and keep in repair, to the satisfaction of the Governor in Council and so as not to interefere with the efficient drainage of the road, the portion of the provincial road extending from the drain or gutter or the edge of the embankment, as the case may be on the north side of the said road to a distance of eighteen inches beyond the further rail. This portion of the road shall be metalled by and at the cost of the Promoters, who shall, also, at their own cost, alter the position or level of the tramway and of this portion of the road to suit future alterations in the road, and forthwith repair, make good, and re-instate to the satisfaction of the Government Engineer aforesaid any other portion of the road which shall at any time be in any way damaged by reason of any fault of the Promoters or of any accident to or upon the tramway. The gutter or drain on the north side of the road, as the same at present exists or shall hereafter be constructed at the cost of Government, shall likewise be maintained in efficient order by and at the cost of the Promoters.

and portion of road.

19. Any road-metal or material, excavated by the Promoters from the provincial road in the construction or maintenance of the tramway, may be applied by them in or towards re-instating the said road or in or towards completing any work thereon required by this Order.

Use by Promoters of excavated material.

20. The carriages used on the tramway for the conveyance of passengers shall be so constructed as to afford shelter and protection from sun and rain; and separate accommodation shall be furnished for upper or first class passengers. The Promoters shall adopt and apply such improvements in the tramway and in the carriages used thereon and in the fittings, appliances and apparatus of such carriages as the Governor in Council may from time to time consider necessary or desirable for the safety or convenience of the public.

Structure of carriages and accommodation, &c., to be provided.

Traffic upon the Tramway.

21. The tramway may be used for the purpose of conveying passengers, passengers' luggage, animals, goods, minerals and parcels.

Traffic Promoters may carry.

22. The Promoters shall be bound to carry passengers and any luggage not exceeding twenty seers of eighty tolas each in charge of any passenger requiring them to do so:

Traffic Promoters are bound to carry.

Provided that the following shall be considered dangerous goods within the meaning of Section 16 of the Indian Tramways Act, 1886:—

Dangerous goods.

Carbolic Acid.	Paraffine.
Fusel Oil.	Petroleum and other Hydrocarbon Oils.
Kerosine Oil.	Rangoon Oil.
Naphthalin.	

Wood Naphtha.
Muriate of Tin.
Nitrate of Iron.
Perchloride of Iron.
Solution of Ammonia.
Sulphate of Indigo, concentrated.
Aquafortis.
Bromine.
Chloride of Sulphur.
Chloroform.
Fluoric Acid.
Glacial Acetic Acid.
Mineral Acids, such as Muriatic Acid.
Nitric Acid.
Sulphuric Acid or Oil of Vitriol.
Ammunition.
Amorphous Phosphorus.
Cartridges.
Coloured Fires.
Congreve Matches.
Crackers.
Combustibles.
Cotton powder.
Chlorate mixture.
Detonators.
Dynamite.
Firework Composition.
Fireworks.
Fog Signals.
Fuze.
Gun-cotton.
Gun-powder.
Gun-cotton-powder.
Lithofracteur.
Lucifer Matches.
Melinite.
Nitrated Gun-cotton.
Nitroglycerine and its compounds.
Phosphorus.
Percussion Caps.
Schultze gun-powder.
Tubes for firing explosives.
Vesuvians.
War Rockets.
Explosive Chemicals.
All other explosives.

Traffic Promoters may refuse to carry.

23. Except passengers, and such passengers' luggage as the Promoters are under the above provisions bound to carry, the Promoters may refuse to carry any goods, animals, minerals or parcels whatsoever.

Warning signals to be provided.

24. Every driver of a carriage on the tramway shall be provided, whilst on duty, with a special bell, whistle or other apparatus to be sounded as a warning when necessary.

Patterns of carriages to be approved by Government.

25. Every carriage used on the tramway shall be constructed of a pattern approved by the Governor in Council and so as to provide for the safety of passengers and for their safe entrance into, exit from, and accommodation in, such carriage and for their protection from the wheels.

Brakes to be used.

26. Each carriage or vehicle used on the tramway shall be fitted with an efficient brake which can be conveniently worked from either end of the same.

Collector may provisionally prohibit use of carriage.

27. The Collector may, whenever he things fit, prohibit the use on the tramway of any carriage which, in his opinion, is not safe for use thereon. Every such prohibition shall hold good until the same is either confirmed, set aside or modified by the Governor in Council, and the Promoters shall be bound by any order passed by the Governor in Council respecting any such carriage.

Levy of Tolls.

Tolls leviab by Promoters.

28. The tolls authorized to be levied shall be paid to such persons and at such places upon or near to the tramway and in such manner and under such regulations as the Promoters may, by notice annexed to the list of tolls exhibited

under sub-section (2) of Section 15 of the Indian Tramways Act, 1886, with the previous sanction of the Governor in Council, appoint.

Miscellaneous.

Restriction on alienation.

29. The Promoters shall not transfer the undertaking or any part thereof by sale, mortgage, lease, exchange or otherwise, except with the previous sanction of, and on such conditions as may be approved by, the Governor in Council.

Promoters to facilitate levy of Municipal dues, &c.

30. The Promoters shall afford the Municipality of Násik all reasonable facilities for the collection of octroi and other municipal taxes, if any, leviable on goods carried by the tramway.

Liability of all works, &c., to inspection.

31. The undertaking and all works, stock and appliances appertaining thereto shall at all times be open to the inspection and examination of any person or persons whom the Governor in Council may appoint for that purpose, and the Promoters shall afford all reasonable facilities for the inspection or examination to the officer making it.

Close of tramway and disuse of rolling-stock by order of Government.

32. When after inspection of the tramway or portion of the tramway or any rolling-stock used thereon, the officer making the inspection under clause 31 reports to the Government of Bombay that in his opinion the use of the tramway or portion thereof or of any specified rolling-stock will be attended with danger to the public using it, the Governor in Council may direct that the tramway or portion thereof be closed for the public conveyance of passengers, or that the rolling-stock so specified shall no longer be used, as the case may be.

Tramway not to be re-opened after such order till sanction obtained.

33. When the tramway or any portion of the tramway has been closed under clause 32 it shall not be re-opened for the public conveyance of passengers unless and until it has been inspected and its opening sanctioned in accordance with the provisions of Section 12 of the Tramways Act, 1886.

Rolling-stock not to be used again after such order till sanction obtained.

34. When the Governor in Council has directed under clause 32 that any rolling-stock shall not be used, the rolling-stock shall not be used, unless and until the officer named in clause 31 reports that it is fit for use, and the Governor in Council sanctions its use.

On Promoters' default works required by the Act may be executed by Government at cost of Promoters.

35. In the event of any work required by the Indian Tramways Act, 1886, or by this Order to be done by the Promoters not being done by them, the Governor in Council may cause a notice to be served on the Promoters, requiring them within a reasonable period to be prescribed in the said notice to execute the said work; and if within the period so prescribed such requisition is not complied with, the Governor in Council may cause such work to be done and the cost thereof shall be recoverable from the Promoters under Section 36 of the said Act.

Penalty for failure of Promoters to comply with order.

36. If the Promoters fail to observe the condition or direction contained in or made under this Order, they shall for each such offence be liable to a penalty which may extend to two hundred rupees and, in the case of a continuing offence, to a further penalty which may extend to fifty rupees for each day after the first during which the offence continues.

Every penalty recovered under this clause shall be applied as the Governor in Council from time to time directs.

BARSI TRAMWAY ORDER, 1892.

Notn. No. 29, Public Works, dated 9th December 1892, B. G. G., 1892, Pt. I, p. 1221.

It is hereby notified that an application has been made by Messrs. J. S. Alston, N. N. Wadia, C.I.E., H. H. Mitchell, C. Morris and E. R. Calthrop, with the consent of the District Local Board of Sholápur, the Municipality of Bársi, and the Local Government, under Section 4 of the Indian Tramways Act, 1886, for an order authorizing the construction of a tramway from the Bársi Road Station of the Great Indian Peninsula Railway to Bársi Town, and a draft of a proposed Order authorizing the construction of the said tramway having been published at pages 640 to 647 of the *Bombay Government Gazette* of 21st July 1892, Part I, under Notification No. 17, dated 19th July 1892; the Governor in Council, after considering such objections and suggestions as have been made with respect to the said draft, is of opinion that the said application should, subject to the conditions and restrictions hereinbelow expressed, be granted, and is pleased to make an order accordingly as follows:

Order made under Section 6 of the Indian Tramways Act, 1886, by the Governor of Bombay in Council, with the previous sanction of the Governor General in Council authorizing Messrs. J. S. Alston, N. N. Wadia, C.I.E., H. H. Mitchell, C. Morris, and E. R. Calthrop, to construct a tramway between Barsi Town and Barsi Road Station on the Great Indian Peninsula Railway.

Preliminary.

Short title.

1. This Order may be cited as the "Bársi Tramway Order, 1892."

Interpretation clause.

2. The several words and expressions to which meanings are assigned by the Indian Tramways Act, 1886, have in this Order the same respective meanings: Provided that in this Order the expression "the tramway" or "the undertaking" shall mean the tramway and the works and undertaking by this Order authorized, and the words "the Act" shall mean the said Indian Tramways Act, 1886.

Law applicable to the tramway.

3. (1) The tramway authorized by this Order shall be constructed, maintained and worked, subject to the provisions of the Act, and of the rules from time to time in force thereunder and of this Order.

Reservation clause.

(2) But no powers or rights shall be deemed to have been conferred on the Promoters or to have been relinquished by Government except as in this Order expressly provided.

Promoters.

4. Messrs. J. S. Alston, N. N. Wadia, C.I.E., H. H. Mitchell, C. Morris and E. R. Calthrop shall be the Promoters for the purpose of this Order and are in this Order referred to as "the Promoters."

Construction of Tramway.

Authority to Promoters to construct and maintain tramway.

5. The Promoters shall construct and maintain, subject to the provisions specified in clause 3 and in accordance with the provisions specified in other clauses of this Order, the tramway hereinafter described, with all proper establishments, rails, bearings, stations, offices, works, rolling-stock and conveniences connected with the tramway or required for the purposes thereof.

Dates for commencing and for completing and opening the tramway.

6. Subject to any extensions of time that His Excellency the Governor in Council may see fit to grant, the Promoters shall substantially commence the construction of the said tramway within six calendar months from the date of this Order, and shall complete and equip the same ready in every respect for opening and working for traffic to the satisfaction of the Governor in Council within eighteen months of the date of this Order.

Description of tramway authorized.

7. The tramway authorized by this Order is a single line, with necessary passing-places, to be laid from the town of Bársi to the Bársi Road Station of the Great Indian Peninsula Railway Company, a distance of less than 22 miles, on the Bársi Karduwádi Road, hereinafter called "the Municipal Road," which vests in the Municipality of Bársi, and on the road from Bársi to the said Station, hereinafter called "the provincial road," which vests in Government, but of which a portion lies within the limits of the said Municipality. The junction with the Great Indian Peninsula Railway will be effected on land on the north side of the Bársi Road Station now in the possession of the Great Indian Peninsula Railway Company, and a length of about 560 yards of the tramway line lies within that Company's land. The alignment of the tramway leaves that Company's land at the north end of the railway triangle and runs northwards for 275 yards where it meets the provincial road between road bridges Nos. 2 and 3 at road mileage 0—591 yards. Thence it passes along the north side of the road and is situated entirely within the road boundaries up to road mileage 20 miles 1,646 yards, whence it diverges to the south, stopping within the limits of the Bársi Municipality. His Highness the Nizam's territories are entered on the bridge over the Sena river at road mileage 8 miles 590 yards, and are left at road mileage 14 miles 968 yards; the boundary of the Bársi Municipality is crossed at road mileage 19 miles 270 yards, and the terminal station and sidings lie wholly within municipal boundaries.

Promoters authorized to use the provincial road subject to limitation.

8. The Promoters may use for the construction of the tramway, but not for the purpose of any building or erection connected therewith, one side of the provincial road, five and a half feet in width, measured from the gutter, or, where the road is in embankment, from the edge of such embankment; and for the purpose of crossing bridges may approach the centre of the road as

far as shall in each instance be deemed unavoidable by the Government Engineer in executive charge of the road: Provided that:

(1) there shall nowhere be left a less width of metalled road clear of the inner rail of the tramway than 15 feet;

(2) at all level crossings, and wherever the width of metalled road left clear of the inner rail of the tramway is less than 18 feet and the tramway is not fenced, either grooved or double rails shall be used and the metal of the road shall be maintained flush with the level of the top of the rails, and, if double rails are used, they shall be, and be kept properly secured to each other by distance-pieces at regular intervals;

(3) if any addition to the existing width of the metalled surface of the road is rendered necessary by compliance with the terms of this Order, or if any addition to, or alteration of, any bridge is, in the opinion of the Government Engineer in charge of the road, rendered necessary by the tramway, the same shall be carried out by and at the cost of the Promoters to the satisfaction of the said Engineer; and

(4) at no point on the metalled road shall there be more than one line of rails; any loop lines, turn-outs, or sidings that may be required must therefore be placed elsewhere than on the metalled portion of the road.

Promoters authorized to use the Bársi-Karduwádi road subject to conditions.

9. The following are the conditions to which the Bársi Municipality has agreed in respect of the construction of the tramway on the municipal road, and to entry of the tramway within municipal boundaries, *viz.*:—

(*a*) the whole road shall be handed over to the Promoters;

(*b*) the line eastwards from the Public Works Department road bridge numbered 69 shall be fenced, and all crossings shall be protected with gates and attendants where the main road is cut into by cross roads and also at any other point where the Bársi Municipality with the consent of the Collector may demand a level-crossing;

(*c*) the Promoters shall reconstruct and put into working order so much of the old road as runs alongside of the present road which is to be made over to the Promoters, and thereafter the Promoters shall repair and maintain the present road, and the Municipality the old road;

(*d*) the Promoters shall pay an annual rent charge not exceeding Rs. (50) fifty for the privilege of laying such sidings from the Bársi Station to all or any of the cotton presses at Bársi as may hereafter be mutually agreed to by the Municipality and the Promoters. Outside tramway limits these sidings must be fenced throughout and provided with all properly protected crossings;

(*e*) the Municipality shall be permitted to establish within the limits of the station yard one or more *nákás* or posts for the collection of tolls or octroi duties duly sanctioned from time to time by Government, and the Promoters shall provide and afford to the Municipality all reasonable facilities for the collection of the same; and

(*f*) all works done within the limits of the Municipality by the Promoters shall be executed to the reasonable satisfaction of the Municipality.

Acquisition and disposal of land by Promoters.

10. (1) The Promoters may from time to time acquire in British territory such land (other than the municipal road and the portion of the provincial road, which they are authorized by or under this Order to use) as may be required for the purposes of the undertaking, by agreement made through and with the concurrence of the Collector, and all expenses incurred in connection therewith shall be borne by the Promoters.

(2) Land so required by the Promoters in British territory may also, if they so desire, be acquired for them under the provisions of the Land Acquisition Act, 1870 [1], in the same manner and on the same conditions as it might be acquired for the purposes of the tramway, if a company were the promoter.

(3) For procuring the acquisition by the Promoters of any land in foreign territory reasonably required by them for the purposes of the undertaking, the Governor in Council will from time to time use his good offices.

(4) The Promoters may from time to time, with the approval in writing of the Collector but not otherwise, sell or otherwise dispose of any land acquired by them under this Section, which may no longer be necessary for the purposes of the undertaking.

Gauge.

11. (1) The tramway shall be constructed on a gauge of two feet six inches.

Power reserved to change gauge of line.

(2) It is to be distinctly understood that no concession granted under this Order confers on the Promoters any exclusive right as carriers over any part of the tract traversed by the tramway. The Governor in Council reserves to himself the right of making a standard gauge line between Bársi Road Station and Bársi Town whenever in his opinion the traffic demands it; the Promoters however will have the option in the first instance of making such a line at their own cost on such conditions as may hereafter be specified by the Governor in Council.

Description of rails and line.

12. (1) The rails of the tramway, except where the use of grooved or double rails is required by clause 8, shall weigh not less than 30 lbs. per yard and be of Vignole's section. All rails shall be laid in a workmanlike secure manner and the line shall be fully ballasted.

Signals.

(2) Each station must be protected by permanent signals of such a character as may be required by the Governor in Council.

Fencing.

13. (1) If any train travels on any part of the tramway at a higher rate of speed than twelve miles an hour, the tramway shall be fenced throughout its whole length on the provincial road. If the speed-limit of trains does not exceed the above rate it shall be sufficient, until further orders, for the Promoters to protect the line of rails by fencing at all level crossings and wherever the tramway crosses a bridge which is also used for road-traffic and also at all places where the road-embankment is more than three feet high; but the Governor in Council reserves to himself the power to require at any time the erection and maintenance by the Promoters of fencing at other places or throughout the whole

(1) Repealed by Act I of 1894.

length of the line on the said road. The description and extent of fencing to be used shall in every case be such as shall be satisfactory to the Governor in Council.

Level crossings.

(2) The Promoters shall provide level crossings wherever the tramway crosses district or village roads and at such other places as the Collector may from time to time direct.

Gates and lodges at level crossings and at bridges.

(3) The Promoters shall provide gates with gate-keepers' lodges, and shall maintain gate-keepers at all bridges crossed by the tramway and at such level crossings as the Collector may from time to time direct.

Junction with the Great Indian Peninsula Railway.

14. The works at the junction with the Great Indian Peninsula Railway have received the assent of the Agent of the Great Indian Peninsula Railway Company.

Additional works.

15. The Promoters shall construct and maintain all such stations, passing-places, sidings, junctions and all other works, in addition to those specified in or authorized by this Order, and shall also employ and maintain all such establishments in addition to those specified in or authorized by this Order, as the Governor in Council may from time to time consider to be expedient for the efficient working of the tramway or for the convenience and safety of the public and of the traffic on the roadway.

Construction of Rolling-stock.

Dimensions and weight of locomotives and vehicles.

16. (1) The maximum width of any locomotive or any vehicle, whether for the conveyance of passengers or goods, used on the tramway shall be seven and a half feet, and no such locomotive or vehicle shall project outwards beyond the inside edge of the rail more than two and a half feet on each side.

(2) The weight per axle of any such locomotive or vehicle shall not, except with the sanction of the Governor in Council, exceed 4·16 tons.

Pattern and description of vehicles.

17. Every vehicle used on the tramway shall be of a pattern approved by the Governor in Council, and every carriage for the conveyance of passengers shall be constructed in such a manner as in the opinion of the Government Consulting Engineer for Railways will be proper and sufficient to enable passengers to enter thereinto and to descend therefrom in safety and shall provide for their accommodation therein in such a manner as the said Consulting Engineer for Railways may consider suitable.

Brakes on stock.

18. The rolling-stock shall be fitted throughout with efficient brakes. There shall be at least one brakevan with a person in charge of it to each train, and more shall be attached whenever found necessary, and whenever the Government Consulting Engineer for Railways so requires.

Privileges and responsibilities in respect of roads.

The Promoters to afford facilities for carrying out works in connection with road.

19. The Promoters shall afford every reasonable facility for carrying out, in or on the land occupied by the tramway, any work connected with any sewer, drain, telegraph-line, gas-pipe, water-pipe or anything whatsoever, which the Governor in Council, the local authority, the road authority, or any person duly authorized by the

Governor in Council or by either of the said authorities in this behalf, may, by notice in writing, at any time inform the Promoters of their intention to execute.

Lopping trees without permission or urgent necessity prohibited.

20. The Promoters shall not, without the consent in writing of the Collector or of the Bársi Municipality, as the case may be, cut down or lop any tree growing along or by the side of the road, except that in case of emergency the Promoters may remove or lop the branches or any portion of a tree which projects or hangs in such a manner as to be a source of danger or impediment to the tramway traffic.

Maintenance of provincial road for ordinary traffic.

21. The Promoters shall maintain and keep in repair and thoroughly drained, to the satisfaction of the Government Engineer in executive charge thereof, the entire provincial road and preserve a smooth metalled surface throughout of a width of not less than 20 feet.

Use of excavated material.

22. Any road-metal or material excavated by the Promoters from the provincial road in the construction or maintenance of the tramway, may be applied by them in or towards re-instating the said road or in or towards completing any work thereon required by this Order.

Stacking materials.

23. The Promoters may stack road-metal and other materials for the construction or maintenance of the tramway within the limits of the provincial road boundaries, but the same shall be stacked in such a manner as in the opinion of the Government Engineer in executive charge of the road will not impede or endanger the traffic on the said road.

Unused portion of the provincial road to be left free.

24. The portion of the provincial road which the Promoters are not authorized by or under this Order to use for the purpose of the tramway, shall be left free and unencumbered for ordinary traffic, and no obstruction whatever shall be placed thereon or caused thereto, without the previous written consent of the Engineer aforesaid.

Tolls on the provincial road.

25. The collection of the tolls from time to time lawfully leviable under Bombay Act No. III of 1875 on the ordinary traffic on the provincial road alongside of the tramway shall, on and from the date on which the Promoters substantially commence the construction of the tramway in accordance with clause 6 of this Order or with any direction of the Governor in Council extending the time for such commencement, be placed by the Governor in Council, under Section 8 of that Act, under the management of the Promoters who shall be entitled to appropriate the proceeds thereof: Provided always that the rates of the said tolls, within the limits allowed by law, shall from time to time be fixed in his discretion by the Governor in Council.

Motive Power.

Power to be used on the tramway.

26. The motive power to be used on the tramway shall be locomotive engines worked by steam.

Speed of trains.

27. The speed of trains on the tramway shall not exceed fifteen miles an hour, or such other limit as may from time to time be prescribed by the Governor in Council.

Maintenance of Tramway and Rolling-stock.

28. The Promoters shall at all times maintain and keep in good condition and repair, to the satisfaction of the Governor in Council, all way, works, rolling-stock and appliances appertaining to the tramway and shall maintain the said tramway, way, works, rolling-stock and appliances and shall work the same in such manner as will, to the satisfaction of the Government Engineer in executive charge of the road, avoid all risk of danger or annoyance to the ordinary road traffic.

Maintenance of way, works and stock.

29. Any officer nominated by the Governor in Council in this behalf may prohibit the use on the tramway of any vehicle which in his opinion is not safe for use thereon, and every such prohibition shall hold good until it is either confirmed, set aside or modified by the Governor in Council; and the Promoters shall be bound by any order passed by the Governor in Council thereon in respect thereof.

Prohibition of use of stock.

30. The Promoters shall adopt and apply all such improvements in the tramway and in the rolling-stock and appliances thereon as the Governor in Council may from time to time consider necessary or desirable for the safety or convenience of the public.

Improvements may be directed by the Governor in Council.

Traffic.

31. (1) The tramway shall be used for the purpose of conveying passengers, passengers' luggage, parcels, animals, goods and minerals.

Traffic to be carried.

(2) The traffic at Bársi Road Junction Station will be worked by the Great Indian Peninsula Railway Company in strict accordance with a Working Agreement to be arranged, subject to the approval of Government, between the Railway Company and the Promoters.

Agreement for working Bársi Road Joint Station.

32. The Promoters shall run at least one train daily for the conveyance of passengers and goods in each direction of the tramway, unless, owing to accident or other cause, they establish to the satisfaction of the Governor in Council their inability to do so; and shall bind themselves to carry with reasonable despatch to the satisfaction of the Governor in Council all passengers and goods seeking transport by the tramway, with the exception of the dangerous goods described in the next clause.

Daily train service.

33. The following shall be considered dangerous goods, within the meaning of Section 16 of the Act:—

Dangerous goods.

Carbolic Acid.	Wood Naphtha.	Bromine.
Fusel Oil.	Muriate of Tin.	Chloride of Sulphur.
Kerosine Oil.	Nitrate of Iron.	Chloroform.
Naphthalin.	Perchloride of Iron.	Fluoric Acid.
Paraffin.	Solution of Ammonia.	Glacial Acetic Acid.
Petroleum and other Hydrocarbon Oils.	Sulphate of Indigo, concentrated.	Mineral Acids such as Muriatic Acid.
Rangoon Oil.	Aquafortis.	Nitric Acid.

Sulphuric Acid or Oil of Vitriol.	Dynamite.	Nitroglycerine and its compounds.
Ammunition.	Firework composition.	Phosphorus.
Amorphous Phosphorus.	Fireworks.	Percussion caps.
Cartridges.	Fog signals.	Schultze gun-powder.
Coloured Fires.	Fuze.	Tubes for firing explosives.
Congreve Matches.	Gun-cotton.	Vesuvians.
Crackers.	Gun-powder.	War Rockets.
Combustibles.	Gun-cotton-powder.	Explosive chemicals.
Cotton powder.	Lithofracteur.	All other explosives.
Chlorate Mixture.	Lucifer Matches.	
Detonators.	Melinite.	
	Nitrated gun-cotton.	

Rates, Fares, &c.

34. At the outset the Promoters shall charge on the tramways the same rates, and fares, as are for the time being charged by the Great Indian Peninsula Railway Company, for the conveyance of passengers and goods over similar lengths of the Great Indian Peninsula Railway main line, and the same terminal charges as are at the date of this order charged by the Great Indian Peninsula Railway Company at the Bársi Road Station on its main line goods traffic, with the proviso that no terminal charges can be permitted on any traffic passing through the junction at Bársi Road. The goods classification in force from time to time on the Great Indian Peninsula Railway must be strictly followed. The Governor in Council reserves to himself full control over charges of all kinds for the use of the tramway.

Miscellaneous.

Police.

35. Should experience appear to the Governor in Council to prove that police are required at some or all the stations on the tramway, the Secretary of State for India in Council shall provide and maintain for the preservation of law and order such a force of police as the Governor in Council may consider necessary. Three-tenths of the cost of any police so provided and maintained, including incidental expenses appertaining thereto, shall be borne by Government and the remaining seven-tenths by the Promoters.

Statistics.

36. The Promoters shall provide, without unreasonable delay and free of charge, such statistics relating to the tramway or to the traffic thereon as may from time to time be required by the Governor in Council.

Condition of alienation.

37. The Promoters shall not transfer the undertaking or any part thereof except with the previous sanction of, and on such conditions as may be approved by, the Governor in Council. No transfer of the undertaking or of any part thereof will be permitted :—

(1) to any person or persons other than a company ; or

(2) under or in respect of which any consideration is to be paid to the Promoters ; or

(3) under or in respect of which any consideration is to be paid to the Promoters in excess of the amount of such expenses as may be shown to the satisfaction of the Governor in Council that the Promoters have actually incurred in connection with the undertaking.

38. The undertaking and all works, stock and appliances appertaining thereto shall at all times be open to the inspection and examination of any person or persons whom the Governor in Council may appoint for that purpose, and the Promoters shall afford all reasonable facilities for the inspection or examination to the officer making it.

Liability of works, &c., to inspection.

39. When, after inspection of the tramway or portion of the tramway or any rolling-stock used thereon, the officer making the inspection under clause 38 reports to the Government of Bombay, that, in his opinion, the use of the tramway or portion thereof or of any specified rolling-stock will be attended with danger to the public using it, the Governor in Council may direct that the tramway or portion thereof be closed for the public conveyance of passengers, or that the rolling-stock so specified shall no longer be used, as the case may be.

Closing of tramway and disuse of rolling-stock by order of Government.

40. When the tramway or portion of the tramway has been closed under clause 39, it shall not be re-opened for the public conveyance of passengers, unless and until it has been inspected and its opening sanctioned in accordance with the provisions of section 12 of the Act.

Tramway not to be re-opened after such Order until sanction obtained.

41. (1) If the Promoters fail to observe any condition or direction contained in or made under this Order, they shall for each such failure to observe the same be liable to a penalty which may extend to two hundred rupees and, in the case of a continuing failure, to a further penalty which may extend to fifty rupees for each day after the first during which that failure continues.

Penalty for failure of Promoters to comply with Order.

(2) Every penalty recovered under this clause shall be applied as the Governor in Council from time to time may direct.

42. In the event of any work required by the Act or by this Order to be done by the Promoters not being done by them, the Governor in Council may cause a notice to be served on the Promoters requiring them, within a period to be prescribed in the said notice, to execute the said work; and if within the period so prescribed such requisition is not complied with, the Governor in Council may cause such work to be done and the cost thereof shall be recoverable from the Promoters under section 36 of the Act.

On Promoters' default works may be executed by Government.

As to Extensions.

43. The Governor in Council reserves to himself all rights connected with all extensions of the tramway.

43. The further conditions, to which the construction of the said tramway is subject, have been accepted by the Promoters in their letter No. 3-362, dated 21st July 1892, as communicated to them by letter No. 1406, dated 16th July 1892, as follows, *viz.*:—

Letter from Lieut.-Colonel F. FIREBRACE, R.E., Secretary to Government, Public Works Department, Railway, No. 1406, dated 16th July 1892, to Messrs. J. S. ALSTON, N. N. WADIA, C.I.E., H. H. MITCHELL, C. MORRIS, and E. R. CALTHROP.

GENTLEMEN,—With reference to previous correspondence on the subject of the Bársi Steam Tramway project I am directed to state that the Governor in Council considers that the requirements of the traffic between the Bársi Road Station and the Town of Bársi would best be met by the construction of a branch railway on the same gauge as the main line [Great Indian Peninsula Railway]. But as in the course of the correspondence expectations have been held out to the Promoters that their application for permission to construct a steam tramway on a gauge of 2½ feet would be granted, and as the Promoters have elaborated a project on that understanding, the Governor in Council is prepared to sanction their application, subject to the conditions that will be specified in an order to be published hereafter under the provisions of the Indian Tramways Act [Act XI of 1886] and to the further conditions mentioned below. A copy of the draft of the proposed order is attached to this letter. The draft order is subject to modification before it is made absolute as prescribed in Section 6 of the Indian Tramways Act.

2. There is some reason to doubt whether a tramway on the gauge proposed will sufficiently accommodate the traffic offering. Power is accordingly reserved to Government to construct, or to authorize the construction by other agency of, a branch railway between Bársi Road Station and Bársi Town on the standard gauge, whenever in the opinion of Government the construction of such a railway is desirable. The Promoters will be given in the first instance the option of constructing such a standard gauge line at their own cost on such conditions as may be specified by the Governor in Council whenever the construction of such a line may have been determined on. In view of this condition and contingency it is for the Promoters to consider whether they will proceed with the steam tramway project, or in lieu thereof, at once apply for a concession for the construction of a standard gauge line.

3. The project, as finally submitted by the Promoters, is in many respects of the nature of a railway. It is therefore obligatory on Government to prescribe conditions for its construction and working in addition to those that may be imposed under the Indian Tramways Act. It is stipulated accordingly that all or any of the provisions of the Indian Railways Act [Act IX of 1890] may, from time to time at the discretion of Government, be applied to the tramway. It is further stipulated that the Promoters shall be bound to carry out such orders as Government may see fit to issue regarding the alignment of the tramway, the location of stations and the introduction of a telegraph; and to provide such station accommodation, signals, fencing, level crossings, gates, gate-lodges and gate-keepers, and such other establishment and appliances as Government may consider necessary for the proper working of the tramway and may from time to time direct. The Promoters are also required to provide seven-tenths of the cost of any police force that may be employed by Government on the tramway. And all rights connected with extensions of the tramway are reserved to Government.

4. The rates and fares and other charges for the conveyance of goods and passengers on the tramway prescribed in the draft order have been fixed in assimilation with those that are ordinarily charged on branch lines in this Presidency worked in connection with main lines of railway including the Baroda State branch lines [2½ feet gauge] worked by the Bombay, Baroda and Central India Railway Company.

5. Complete plans for the project as actually sanctioned must be submitted and have received the approval of Government before the work of construction is begun.

6. Further, I am directed to say, with reference to your letter No. 3—308, dated 21st June 1892, that the Governor in Council is pleased to admit the sum of £4,650 sterling under clause 37 (3) of the draft order, as legitimate expenses incurred by the Promoters in the preparation of this project.

7. I am to request a reply to this letter informing Government whether or not all the conditions mentioned therein and in the copy of the draft order attached are accepted by the Promoters.

NASIK TRAMWAY EXTENSION ORDER, 1896.

Notn. No. 5234, General, dated 28th November 1896, B. G. G., 1896, Pt. I, p. 1215.

It is hereby notified that an application has been made by the Indian Railway Feeder Lines Company, Limited, with the consent of the Municipality of Násik, under Section 4 of the Indian Tramways Act, 1886, for an order authorizing the extension of the tramway from a point on the existing tramway line on the provincial road running from the Násik Road Station of the G. I. P. Railway Company to Nás k City, about 50 yards south of the present terminus to a terminus in Násik City, the line terminating at a point 106 feet or thereabouts beyond the present Municipal Office towards the north; and the draft of a proposed order authorizing the extension of the said tramway having been published at pages 912 @ 915 of the *Bombay Government Gazette* of the 10th September 1896, Part I, under Government Notification No. 3973, dated the 7th idem, and the objections which have been made with respect to the said draft having been considered insufficient, the following order is published for the information of all persons interested:—

ORDER.

Order made under Section 6 of the Indian Tramways Act, 1886, by the Governor of Bombay in Council, authorizing the Indian Railways Feeder Lines Company, Limited, to extend the tramway in the Násik District of the Bombay Presidency, the construction of which was duly authorized by an order published at page 21, Part I, of the *Bombay Government Gazette* of 9th January 1889.

Preliminary.

Short title. 1. This Order may be cited as the "Násik Tramway Extension Order, 1896."

Interpretation clause. 2. The several words and expressions to which meanings are assigned by the Indian Tramways Act, 1886, have in this Order the same respective meanings: Provided that in this Order the expressions "the tramway" or "the undertaking" shall mean the extended tramway and works and undertaking by this Order authorized, and the Municipality shall mean the Municipality of Násik.

Conditions applicable. 3. The tramway authorized by this Order shall be constructed, maintained and worked in accordance with the Indian Tramways Act, 1886, and subject to the provisions of this Order.

Promoters.

Promoters.

4. The Indian Railways Feeder Lines Company, Limited, shall be the Promoters for the purpose of this Order and are in this Order referred to as "The Promoters."

Construction of Tramway.

Description of tramway authorized.

5. The Promoters may construct and maintain, subject to the provisions of this Order, and in accordance with the plans and sections deposited for the purpose of this Order, the tramway hereinafter described, with all proper rails, bearings, offices, stables, carriage-houses, works and conveniences connected therewith or for the purposes thereof, and may work and use the same.

The tramway authorized by this Order is a single line, with necessary passing places, to be laid partly on the Násik Municipal roads and partly on private lands within Municipal limits from a point on the existing tramway line on the provincial road, running from the Násik Road Station of the G. I. P. Railway Company to Násik City, about 50 yards south of the existing terminus to the future terminus in Násik Town and to a point 106 feet or thereabouts beyond the present Municipal Office towards the north, the total distance being about a mile.

Promoters authorized to use road subject to limitation.

6. The Promoters may use, for the extension of the tramway, but not for the purpose of any building or erection connected therewith the portions of the municipal road, five and a half feet only in width, measured from the gutter or, where the road is in embankment, from the edge of such embankment; and, for the purpose of constructing passing places or of crossing bridges or culverts, may approach the centre of the road as far as shall, in each instance, be deemed necessary by the Municipality: Provided that if any addition to, or alteration of, any bridge or culvert is, in the opinion of the Municipality, rendered necessary by the tramway, the same shall be carried out by, and at the expense of, the Promoters to the satisfaction of the Municipality aforesaid.

Remainder of road to be left free.

7. The portion of the road which the Promoters are not authorized by or under this Order to use for the purpose of the tramway shall be left free and unencumbered for ordinary traffic, and no obstruction whatever shall be placed thereon, or caused thereto, without the previous written consent of the Municipality.

Lopping trees without permission or urgent necessity prohibited.

8. The Promoters shall not, without the consent of the Municipality in writing, cut down or lop any tree growing along or by the side of the road, except that in case of emergency the Promoters may remove or lop the branches or any portion of a tree which projects or hangs in such a manner as to be a source of danger or impediment to the tramway traffic.

Powers of Government to authorize interference with tramway in carrying out necessary works.

9. In the event of any necessity arising for carrying out in or on land occupied by the tramway any work connected with any sewer, drain, telegraph-line, gas-pipe, water-pipe, or anything whatsoever, the Governor in Council, the local authority, the road authority, or any person or persons interested in the carrying out of such work or works, may, by notice in writing to the Promoters, call upon the Promoters to

show cause why any portion of such tramway should not be closed for traffic to enable such work or works to be carried out in safety.

After considering the necessity for closing such portion of the tramway as well as any objections or suggestions which may be made by the Promoters, the Governor in Council, or such person or persons as the Governor in Council may appoint by general or special order for the purpose, may direct that the Promoters shall close any portion of the tramway for such a period of time and under such other conditions, as in the circumstances of the case, may appear to be necessary, and may also direct that a temporary tramway in place of the portion removed shall be constructed and used, and may prescribe any conditions under which such temporary tramway shall be constructed and used.

The Promoters shall be bound to comply with such directions and allow the work referred to therein to be carried out: Provided that, unless otherwise directed, any portion of the tramway which it may be necessary to remove in order to the carrying out of such work, shall be removed and reinstated by, or at the expense of, the Government, the local authority, the road authority, or the person or persons as the case may be, by whom the work is carried out.

Conditions on which Promoters allowed to interfere with structures in or on road.

In the event of the Promoters desiring that any drain, telegraph-line, gas-pipe, water-pipe, or other thing whatsoever in or on the land occupied or to be occupied by the tramway should be interfered with, or that the position of any one of them should be altered, the Promoters shall give notice in writing to the local authority and the road authority and any officer or any person in charge of or interested in the thing or things to be interfered with or altered, and shall also submit an application to the Governor in Council; and after considering the application of the Promoters, as well as any objections or suggestions that may be made with reference to such application, the Governor in Council, or such person or persons as the Governor in Council may appoint by general or special order for the purpose, may pass such order on the application as in the circumstances of the case may appear fit: Provided that the Promoters shall not in any case be entitled to require any interference with, or alteration of, any sewer or drain or the position thereof.

Acquisition of land required by Promoters.

10. The Promoters may from time to time acquire such land, other than the portion of the municipal road which they are authorized by or under this order to use, as they require for the purposes of the undertaking by agreement made through and with the concurrence of the Collector; and all expenses incurred by the Collector in connection therewith shall be borne by the Promoters. The Promoters may, from time to time, with the approval of the Collector, but not otherwise, sell or otherwise dispose of any such land which may not be necessary for such purposes; and they may construct on any such land or may take on lease any office, shed, stable, carriage-house or other building for the purposes of the undertaking.

Date for commencement, completion and opening of tramway.

11. The said extension of the tramway shall be commenced on or before the 1st December 1896 and shall be completed and opened for public traffic on or before the 1st June 1897.

Limit of gauge and width of carriages.

12. The tramway shall be constructed on a gauge of two feet six inches and no carriage used on the tramway shall project outwards beyond the inside edge of the rail more than two feet and six inches on each side.

Description of rails to be used.

13. The rails of the tramway shall be grooved rails, where the line runs on the high road, and Vignolle rails elsewhere.

Promoters making crossings, &c, to comply with orders of Government.

14. Subject to the approval of the Governor in Council, the Promoters may from time to time hereafter make all such crossings, passing-places, junctions and other works, in addition to those particularly specified in and authorized by this Order, as may from time to time be necessary or convenient to the efficient working of the tramway or for providing access to any stable, carriage-house or work of the Promoters.

Temporary tramways in place of portion interrupted.

15. When from accident or flood, by reason of the execution of any work affecting the surface or soil of the road along which the tramway is laid, it is in the opinion of the Governor in Council necessary or expedient temporarily to remove or discontinue the use of the tramway, or any part thereof, the Promoters, subject to such conditions and in accordance in all respects with such regulations as the Governor in Council may from time to time make, may construct and maintain, so long as occasion may require, a temporary tramway in lieu of the tramway or part of the tramway removed or discontinued.

Motive power.

Animal power only to be used.

16. The carriages used on the tramway shall be moved by animal power only. No steam power or other mechanical power shall be used for this purpose, except under the authority of, and subject to such conditions as shall be prescribed in a further Order obtained under Section 8 of the Indian Tramways Act, 1886.

Speed authorized.

The maximum speed shall not exceed eight miles an hour, or such other speed as may from time to time be authorized by the Governor in Council; and no vehicle shall pass through any moveable facing point at a speed exceeding four miles an hour.

Maintenance of Tramway.

Promoters' liability to maintain and repair tramway,

17. The Promoters shall at all times maintain and keep in good condition, and repair, to the satisfaction of the Governor in Council aforesaid and so as not to be a danger or annoyance to the ordinary traffic, the rails and substructure of the tramway.

and portion of road.

18. The Promoters shall maintain and keep in repair, to the satisfaction of the Municipality and so as not to interfere with the efficient drainage of the road, the portion of the municipal road extending from the gutter or the edge of the embankment, as the case may be, of the said road to a distance of eighteen inches beyond the further rail. This portion of the road shall be metalled by and at the cost of the Promoters, who shall, also, at their own cost, alter the position or level of the tramway and of this portion of the road to suit future alterations in the road, and forthwith repair, make good, and reinstate to the satisfaction of the Municipality aforesaid any other portion of the road which shall at any time be in any way damaged by reason of any fault of the Promoters or of any accident to or upon the tramway. The gutter on the side of the road nearest

the tram rail, as the same at present exists or shall hereafter be constructed at the cost of the Municipality, shall likewise be maintained in efficient order by and at the cost of the Promoters.

Use by Promoters of excavated material.

19. Any road-metal or material, excavated by the Promoters from the Municipal road in the construction or maintenance of the tramway, may be applied by them in or towards reinstating the said road or in or towards completing any work thereon required by this Order.

Structure of carriages and accommodation, &c., to be provided.

20. The carriages used on the tramway for the conveyance of passengers shall be so constructed as to afford shelter and protection from sun and rain; and separate accommodation shall be furnished for upper or first class passengers. The Promoters shall adopt and apply such improvements in the tramway and in the carriages used thereon and in the fittings, appliances and apparatus of such carriages as the Governor in Council may from time to time consider necessary or desirable for the safety or convenience of the public.

Traffic upon the Tramway.

Traffic Promoters may carry.

21. The tramway may be used for the purpose of conveying passengers, passengers' luggage, animals, goods, minerals and parcels.

Traffic Promoters are bound to carry.

Dangerous goods.

22. The Promoters shall be bound to carry passengers and any luggage not exceeding twenty seers of eighty tolas each in charge of any passenger requiring them to do so: Provided that the following shall be considered dangerous goods within the meaning of Section 16 of the Indian Tramways Act, 1886:—

Carbolic Acid.	Glacial Acetic Acid.	Fuze.
Fusel Oil.	Mineral Acids such as Muriatic Acid.	Gun-cotton.
Kerosine Oil.	Nitric Acid.	Gun-powder.
Naphthalin.	Sulphuric Acid or Oil of Vitriol.	Gun-cotton-powder.
Paraffine.	Ammunition.	Lithofracteur.
Petroleum and other Hydrocarbon Oils.	Amorphous Phosphorus.	Lucifer Matches.
Rangoon Oil.	Cartridges.	Meldinite.
Wood Naphtha.	Coloured Fires.	Nitrated gun-cotton.
Muriate of Tin.	Congreve Matches.	Nitroglycerine and its compounds.
Nitrate of Iron.	Crackers.	Phosphorus.
Perchloride of Iron.	Combustibles.	Percussion caps.
Solution of Ammonia.	Cotton powder.	Schultze gun-powder.
Sulphate of Indigo, concentrated.	Chlorate mixture.	Tubes for firing explosives.
Aquafortis.	Detonators.	Vesuvians.
Bromine.	Dynamite.	War Rockets.
Chloride of Sulphur.	Firework composition.	Explosive chemicals.
Chloroform.	Fireworks.	All other explosives.
Fluoric Acid.	Fog signals.	

Traffic Promoters may refuse to carry.

23. Except passengers, and such passengers' luggage as the Promoters are under the above provisions bound to carry, the Promoters may refuse to carry any goods, animals, minerals or parcels whatsoever.

Warning signals to be provided.

24. Every driver of a carriage on the tramway shall be provided, whilst on duty, with a special bell, whistle or other apparatus to be sounded as a warning when necessary.

Patterns of carriages to be approved by Government.

25. Every carriage used on the tramway shall be constructed of a pattern approved by the Governor in Council and so as to provide for the safety of passengers and for their safe entrance into, exit from, and accommodation in, such carriage and for their protection from the wheels.

Brakes to be used.

26. Each carriage or vehicle used on the tramway shall be fitted with an efficient brake which can be conveniently worked from either end of the same.

Collector may provisionally prohibit use of carriage.

27. The Collector may, whenever he thinks fit, prohibit the use on the tramway of any carriage which, in his opinion, is not safe for use thereon. Every such prohibition shall hold good until the same is either confirmed, set aside or modified by the Governor in Council, and the Promoters shall be bound by any order passed by the Governor in Council respecting any such carriage.

Levy of Tolls.

Tolls leviable by Promoters.

28. The tolls authorized to be levied shall be paid to such persons and at such places upon or near to the tramway and in such manner and under such regulations as the Promoters may, by notice annexed to the list of tolls exhibited under sub-section (2) of Section 15 of the Indian Tramways Act, 1886, with the previous sanction of the Governor in Council, appoint.

Miscellaneous.

Restriction on alienation.

29. The Promoters shall not transfer the undertaking or any part thereof by sale, mortgage, lease, exchange or otherwise, except with the previous sanction of, and on such conditions as may be approved by, the Governor in Council.

Promoters to facilitate levy of Municipal dues, etc.

30. The Promoters shall afford the Municipality of Násik all reasonable facilities for the collection of octroi and other municipal taxes, if any, leviable on goods carried by the tramway.

Liability of all works, etc., to inspection.

31. The undertaking and all works, stock and appliances appertaining thereto shall at all times be open to the inspection and examination of any person or persons whom the Governor in Council may appoint for that purpose, and the Promoters shall afford all reasonable facilities for the inspection or examination to the officer making it.

Close of tramway and disuse of rolling-stock by order of Government.

32. When after inspection of the tramway or portion of the tramway or any rolling-stock used thereon, the officer making the inspection under clause 31 reports to the Government of Bombay that in his opinion the use of the tramway or portion thereof or of any specified rolling-stock will be attended with danger to the public using it, the Governor in

Council may direct that the tramway or portion thereof be closed for the public conveyance of passengers, or that the rolling-stock so specified shall no longer be used, as the case may be.

Tramway not to be re-opened after such order till sanction obtained.

33. When the tramway or any portion of the tramway has been closed under clause 32 it shall not be re-opened for the public conveyance of passengers, unless and until it has been inspected and its opening sanctioned in accordance with the provisions of Section 12 of the Tramways Act, 1886.

Rolling-stock not to be used again after such order till sanction obtained.

34. When the Governor in Council has directed under clause 32 that any rolling-stock shall not be used, the rolling-stock shall not be used, unless and until the officer named in clause 31 reports that it is fit for use, and the Governor in Council sanctions its use.

On Promoters' default works required by the Act may be executed by Government at cost of Promoters.

35. In the event of any work required by the Indian Tramways Act, 1886, or by this Order to be done by the Promoters, not being done by them, the Governor in Council may cause a notice to be served on the Promoters requiring them within a reasonable period to be prescribed in the said notice to execute the said work; and if within the period so prescribed such requisition is not complied with, the Governor in Council may cause such work to be done and the cost thereof shall be recoverable from the Promoters under Section 36 of the said Act.

Penalty for failure of Promoters to comply with order.

36. If the Promoters fail to observe the condition or direction contained in or made under this Order, they shall for each such offence be liable to a penalty which may extend to two hundred rupees and, in the case of a continuing offence, to a further penalty which may extend to fifty rupees for each day after the first during which the offence continues.

Every penalty recovered under this clause shall be applied as the Governor in Council from time to time directs.

MATHERAN TRAMWAY ORDER.

Notn. No. 34, Public Works (Railway), dated 28th July 1904; B. G. G., Pt. I., p. 1034.

Whereas an application has been made by Abdul Husein Adamjee Peerbhoy Esquire, of Bombay, to the Local Government, for an Order empowering him to construct and maintain a line of tramway between Neral Station on the Great Indian Peninsula Railway and the Hill Station of Mátherán, and the District Local Board, Kolába, have given their consent to the construction of the proposed line of tramway on the understanding that, thereby, there is not responsibility upon, or prejudice to, the interests of the Board, and the Local Government have no objection to the existing public road between Neral Station and Hill Station of Mátherán being crossed and recrossed by the proposed line of tramway as might be found necessary; and whereas it appeared to the Local Government expedient and proper that the said application should be granted subject to the condition that the proposed line is to be constructed as a Light Railway to be worked under the Indian Tramways Act, 1886 (XI of 1886), which condition is acceptable to the said Abdul

Husein Adamjee Peerbhoy, Esquire; and whereas a draft of a proposed Order authorizing the construction of the said Tramway was published in the *Bombay Government Gazette* under Notification in the Public Works Department (Railway) No. 24, dated the 15th June 1904, as amended by the like subsequent Notification No. 25, dated the 20th June 1904, and the Local Government, after considering such objections and suggestions as have been made with respect to the said draft, is of opinion that the said application should, subject to the conditions and restrictions hereinbelow expressed, be granted, and the previous sanction of the Governor General in Council thereto has been obtained: Now in exercise of the power conferred by section 6, sub-section 3 of the Indian Tramways Act, 1886 (XI of 1886), the Governor in Council is pleased to make an Order accordingly, as follows:—

Order.

Order made under section 6 of the Indian Tramways Act, 1886 (XI of 1886), by the Governor of Bombay in Council, with the previous sanction of the Governor General in Council, authorizing Abdul Husein Adamjee Peerbhoy, Esquire, of Bombay, to construct a line of Light Railway under the conditions of the said Act between Neral Station on the Great Indian Peninsula Railway and the Hill Station of Mátherán.

Preliminary.

Short title.

1. This Order may be cited as the "Mátherán Tramway Order," 1904.

Interpretation clause.

2. The several words and expressions to which meanings, are assigned by the Indian Tramways Act, 1886, have in this Order the same respective meanings: Provided that in this Order the expression "the Tramway" or "the undertaking" shall mean the line of Light Railway and the works and undertaking by this Order authorized, the words "the Act" shall mean the said Indian Tramways Act, 1886; and the "Provincial Road" shall mean the existing public road between Neral Station and the Hill Station of Mátherán.

Law applicable to the Tramway.

3. (1) The Tramway authorized by this Order shall be constructed, maintained and worked subject to the provisions of the Act and of the rules framed by this Government under that Act and published at pages 691 to 694 of Part I of the *Bombay Government Gazette* dated the 16th July 1896, or of any other rules from time to time in force under the Act, and of this Order.

Reservation clause.

(2) But no powers or rights shall be deemed to have been conferred on the Promoter or to have been relinquished by Government except as in this Order expressly provided.

Promoter.

4. Abdul Husein Adamjee Peerbhoy, Esquire, of Bombay, shall be the Promoter for the purpose of this Order and is in this Order referred to as "the Promoter". Provided that if the undertaking is transferred by the said Abdul Husein Adamjee Peerbhoy, Esquire, to any other person or persons or to a Company, with the previous assent of the Governor in Council under clause 40, then and in such case the term "the Promoter" shall be held to mean such person or persons or Company, as the case may be.

Construction of Tramway.

Authority to Promoter to construct and maintain Tramway.

5. The Promoter shall construct and maintain, subject to the provisions specified in clause 3 and in accordance with the provisions specified in other clauses of this Order, the Tramway hereinafter described with all proper establishments, rails, bearings, stations, offices, works, rolling stock and conveniences connected with the Tramway or required for the purposes thereof.

Dates for commencing and for completing and opening the Tramway.

6. (1) Subject to any extensions of time that the Governor in Council may see fit to grant the Promoter shall substantially commence the construction of the Tramway within (6) six calendar months from the date of the final publication of this Order, and shall complete and equip the same ready in every respect for opening and working for traffic to the satisfaction of the Governor in Council within (30) thirty months of the date of this Order.

(2) In the event of the Promoter failing to commence the construction, and to complete and equip and make ready for opening the Tramway as provided in the first paragraph of this clause, then in such case the Governor in Council shall be at liberty to revoke this Order, and the Tramway (including the permanent-way, the rolling stock and all the buildings and works of every kind connected therewith) may be dealt with under the provisions of the Act relating to the discontinuance of Tramways, as a Tramway whereof the discontinuance has been proved to the satisfaction of the Governor in Council. And the Governor in Council shall thereafter at liberty to enter into any arrangements with any other person or persons or bodies for the construction of the Tramway.

Description of the Tramway authorized.

7. (1) The Tramway authorized by this Order is a single line, with necessary passing places, within the District of Kolaba, from the Great Indian Peninsula Railway Station of Neral to the Hill Station of Mátherán, a distance of about 12 miles more or less, to be laid on a location independent of the existing Provincial Road between these places. The line shall start from close to and south of the Great Indian Peninsula Railway Station of Neral and passing along the eastern slopes of Gadal Hill shall curve round that hill and either cross or pass close to the Provincial Road at a point near Bheker Khind. The alignment of the line thence forward shall be along the north-eastern slopes of the Mátherán Hill, crossing and re-crossing the Provincial Road as may be found most suitable and may be approved by the Governor in Council, and with reversing stations or otherwise as may also be approved by the Governor in Council, passing round Panorama Point and thence above Simpson's Tank till it reaches Mátherán Bazaar, where the terminal station will be located on suitable ground near but above the main road and to the east of the church.

(2) The Promoter shall be at liberty to extend the Tramway at the Neral end on to the Great Indian Peninsula Railway Company's land at that Station provided that the Great Indian Peninsula Railway Company are agreeable to such extension being effected, and provided that the terms on which such extension shall be effected are first approved by the Governor in Council.

Construction not to be commenced until the alignment has been approved by Government.

8. The construction of any portion of the Tramway shall not be commenced by the Promoter until the plans and the sections of the proposed alignment for such portion, together with the plans of the bridges, retaining walls, and other works which concern the safety of the public shall have been submitted to and approved by the Government Consulting Engineer for Railways on behalf of the Governor in Council, and such approval shall in each case be communicated to the Promoter in writing.

Government land to be provided free of cost.

9. The Promoter shall be supplied by Government free of cost with all land which being the property of Government, may be required for the purposes of the undertaking. Any such land which may subsequently be considered as not needed for the purposes of the undertaking shall be restored to Government. It shall rest with the Governor in Council to decide at any time whether any particular land is or is not required for the purposes of the undertaking.

Private land to be acquired by Government but at Promoter's expense.

10. (1) Government will acquire for the Promoter at his cost such land required for the undertaking as may be in private occupation and which may not be available to the Promoter for acquisition by private negotiation, in the same manner and on the same conditions as it might be acquired for the purposes of the Tramway if a Company were the Promoter.

Disposal of land not required by the Promoter.

(2) The Promoter may from time to time, with the approval in writing of the Collector of Kolába but not otherwise, sell or dispose of any land acquired by him under this clause, which may no longer be necessary for the purposes of the undertaking.

Gauge and Gradient of Tramway.

11. (1) The Tramway shall be constructed on a gauge of 24 inches.

(2) The gradient of the Tramway shall nowhere exceed 1 in 20 duly compensated for curvature.

Description of permanent-way.

12. The rails of the Tramway shall be of steel of Vignole's section, weighing not less than 30 lbs. per yard, connected by suitable fish-plates, fish-bolts and nuts, and points and crossings, all of quality to be approved by the Government Consulting Engineer. All rails shall be laid on sound and suitable wooden sleepers secured by dog-spikes in a workmanlike manner, and the line shall be fully ballasted with sound ballast to the satisfaction of the Government Consulting Engineer for Railways on behalf of the Governor in Council.

Pattern and description of rolling stock.

13. (1) Every vehicle used on the Tramway shall be of pattern approved by the Governor in Council.

Brakes on stock.

(2) The rolling stock shall be fitted with efficient brakes.

Engine brakes.

14. All engines shall be provided with an efficient brake worked by steam or air pressure and acting on at least four wheels of the engine to the satisfaction of the Government Consulting Engineer for Railways.

Signals.

15. Each Station on the Tramway shall be protected by permanent signals of such a character and placed in such positions, as may be considered necessary by the Government Consulting Engineer for Railways.

Standard dimension to be observed.

16. The standard dimensions, as shown in the Schedule annexed, shall be observed by the Promoter in the construction of the Tramway and for the locomotives and rolling stock to be used thereon. No departure therefrom shall be permitted without the prior sanction in writing of the Governor in Council.

Fencing.

17. The Governor in Council reserves to himself the power to require at any time the erection and maintenance by the Promoter at his cost of fencing of such description and at such places as the Governor in Council may consider necessary.

Level-crossings.

18. The Promoter shall provide level-crossings wherever the Tramway crosses the Provincial Road and at such other places as the Governor in Council may from time to time direct. The levels of the roads at these places shall be maintained flush with that of the top of the rails, and if double rails are used, they shall be, and be kept, properly secured to each other by distance pieces at regular intervals.

Gates and lodges at level-crossings.

19. The Promoter shall provide gates with gate-keeper's lodges, and shall maintain gate-keepers, at such level-crossings as the Governor in Council may from time to time direct.

Motive Power.

Power to be used on the Tramway.

20. The motive power to be used on the Tramway shall be Locomotive Engines worked by steam.

Opening of the Tramway.

Opening of Tramway.

21. No portion of the Tramway shall be opened for the conveyance of passengers until, after the inspection of the same by the Government Consulting Engineer for Railways or by one of his Deputies, the Governor in Council shall have communicated his approval in writing to such portion being so opened.

Liability of works, etc., to inspection, closing of Tramway, and disuse of rolling stock, by Government.

22. When after the inspection at any time of the Tramway or portion of the Tramway and any rolling stock used thereon, by himself or by one of his Deputies, the Government Consulting Engineer for Railways reports to the Governor in Council that in his opinion the use of the Tramway or any portion thereof, or of any specified rolling stock, will be attended with danger to the public using it, the Governor in Council may forthwith direct the Tramway or portion thereof to be closed for the public conveyance of passengers, or that the rolling stock so specified shall no longer be used, as the case may be.

Tramway not to be re-opened after such order until sanction obtained.

23. When the Tramway or any portion of the Tramway has been closed under clause 22, it shall not be re-opened for the public conveyance of passengers unless and until it has been inspected again by the Government Consulting Engineer for Railways or by one of his Deputies and its re-opening has been sanctioned by the Governor in Council.

Rolling stock prohibited not to be used until its use again sanctioned.

24. When the Governor in Council has, under clause 22, prohibited the use of any rolling stock the said rolling stock shall not be used unless and until the Governor in Council again sanctions its use.

Maintenance and Working of Tramway.

Maintenance of way, works, and stock.

25. The Tramway, with all works, rolling stock and appliances appertaining to it, shall at all times be maintained and kept in good condition and repair to the satisfaction of the Government Consulting Engineer for Railways, Bombay, on behalf of the Governor in Council, and shall at all times be worked in such manner as the Government Consulting Engineer shall judge to be safe and efficient.

System by working.

26. Trains shall only be worked on one or other of the systems prescribed by the Government of India in their General Rules and Regulations for Railways.

Detonator signals to be used under certain circumstances.

27. In thick, foggy or tempestuous weather, detonator signals shall be used in addition to the ordinary day signals.

Night running prohibited.

28. No train shall be run between sunset and sunrise, except with the previous consent of the Governor in Council and upon such conditions as may be approved by him.

Working of the Tramway at the outset to be entrusted to the G. I. P. Railway Administration.

29. The Promoter shall at the outset entrust the working of the Tramway to the agency of the Great Indian Peninsula Railway Company on terms to be settled between himself and the Company and to be approved by the Governor in Council, and no departure from this arrangement as to the agency for working shall be made by the Promoter except with the consent of the Governor in Council.

Inspection of Tramway.

30. The Tramway shall be inspected by the Government Consulting Engineer for Railways or his Deputy at such intervals as the Governor in Council may prescribe.

Traffic.

Traffic to be carried.

31. (1) The Tramway shall be used for the purposes of carrying passenger's luggage, parcels, animals, and all descriptions of goods which it is permissible to carry under the Indian Railways Act, 1890, and under similar conditions as regards the method of carriage.

Daily train service with the period in each year during which the Tramway shall be kept open.

(2) Between the 1st of October and 7th of June in the following year the Promoter shall run at least one train daily between Neral Station and terminus at Mátherán for the conveyance of passengers and goods in each direction of the Tramway (unless owing to accident or other cause he establishes to the satisfaction of the Governor in Council his temporary inability to do so), and shall bind himself to carry with reasonable despatch to the satisfaction of the Governor in Council all passengers and goods seeking transport by the Tramway with the exception of the dangerous goods described in clause 33.

(3) It shall be optional to the Promoter to stop the working of the Tramway, during the monsoon season, that is to say, between the 7th of June and the 30th of September, or to run during that period such trains on the Tramway and at such intervals as he may deem necessary.

Promoter to have the option of extending the period.

32. [a] In all trains carrying passengers, provision should be made for three classes of passengers, namely, an upper class, a middle class and lower class[a]. If at any time the Promoter shall desire to make provision for more than these three[b] classes, such additional provision shall not be made unless and until the Promoter's application to make such provision and the maxima rates of fares for passengers to be conveyed by such additional kind of accommodation are duly sanctioned by the Governor in Council by a further Order.

Passenger classes.

33. The goods listed in Rule 14 of Chapter III, Part II of the General Rule for open lines of Railways in British India administered by the Government, promulgated with the Government of India, Public Works Department (Railways), Circular No. 6 Railway, dated the 12th March 1895, and republished under this Government's Notification No. 16, dated 26th March 1895, at pages 357 to 394 of the *Bombay Government Gazette*, Part I, dated the 4th April 1895, with the additions to and alterations in that list made subsequently from time to time and that may be made hereafter, shall be considered dangerous goods; and similarly the goods specified in Rule 15 of Chapter III, Part II of the same General Rules, shall be considered offensive goods, within the meaning of Section 16 of the Act.

Dangerous goods.

34. (1) The following shall be the *maxima rates of fares for passengers and tariff of charges for goods, parcels, luggage and dogs over the Tramway between Neral Station and the terminal Station at Máterán Hill :—

Schedule of rates. Maxima rates that may be charged.

		Rs.	a.	p.
(a) Passengers—				
Upper class per passenger	... ...	4	8	0
Middle class do.	... ...	2	8	0
Lower class do.	... ...	1	4	0
(*b*) Goods—				
Merchandise per maund	... ...	0	8	0
Luggage ...	... ...	0	8	0
(*c*) Parcels—				
Up to 20 lbs. or 10 seers	... ...	0	4	0
Up to 40 lbs. or 20 „	... ...	0	8	0
Up to 60 lbs. or 30 „	... ...	0	12	0
Up to 80 lbs. or 40 „ or 1 maund	... ...	1	0	0

[a—a] This sentence was substituted for the original one by Govt. Notn. No. 47, Public Works (Railway), dated 19th November 1907, *B. G. G.*, 1907, Pt. I, p. 1887.

[b] The word "three" was substituted for "two" by Govt. Notn. No. 47, Public Works (Railway), dated 19th November 1907, *B. G. G.*, 1907, Pt. I, p. 1887.

* These maxima rates were subsituted for the original ones by Govt. Notn. No. 47, Public Works (Railway), dated 19th November 1907, *B. G. G.*, 1907, Pt. I, p. 1887.

	Rs.	a.	p.
And 4 annas for every additional 20 lbs. or 10 seers or fraction thereof—			
(*d*) Dogs per head	1	0	0

(2) Passengers' luggage—A free allowance * of luggage will be made to each passenger as under :—

*(*a*) Upper class	25 lbs. or 12½ seers.
(*b*) Middle class	18 lbs. or 9 seers.
(*c*) Lower class	10 lbs. or 5 seers.

Luggage in excess of these weights may be charged for at a rate not exceeding four annas for every 20 lbs. or 10 seers or fraction thereof.

Privileges and Responsibilities.

35. (1) The Promoter shall afford every reasonable facility for carrying out in or on the land occupied by the Tramway any work connected with any sewer, drain, telegraph line, gaspipe, water-pipe, or anything whatsoever which the Governor in Council, the local authority, the road authority or any person duly authorized by the Governor in Council, or by either of the said authorities in this behalf, may by notice in writing at any time inform the Promoter of their intention to execute.

Promoter to afford facilities for carrying out works in connection with the road, etc.

(2) In the event of any necessity arising for carrying out, in or on the land occupied by the Tramway, any works of any kind whatsoever, for which interference with the Tramway may be considered necessary by the Governor in Council, he may, by notice in writing and without prejudice to the powers conferred on the local authority by section 40 of the 'Act, call upon the Promoter to show cause why such portion of the Tramway should not be closed for traffic as may enable the said works to be carried out in safety.

Powers of Local Government to authorize interference with Tramway in carrying out necessary works, etc.

After considering the necessity for closing such portion of the Tramway, as well as any objections or suggestions that may be made by the Promoter, the Governor in Council may direct that the Promoter shall close the said portion of the Tramway for such a period of time and under such conditions as in the circumstances of the case may appear necessary.

The Promoter shall be bound to comply with such directions and allow the work referred to therein to be carried out : provided that, unless otherwise directed, any portion of the Tramway which it may be necessary to remove in order to carry out such work shall be removed and reinstated by, or at the expense of, the Local Government or the person or persons at whose instance the work is carried out.

(3) In the event of any work required by the Act or by this Order to be done by the Promoter not being done by him, the Governor in Council may cause a notice to be served on the Promoter requiring him, within a period to be prescribed in the said notice, to execute the said work,

On Promoter's default, works may be executed by Local Government.

* This free allowance of luggage was substituted for the original one by Govt. Notn. No. 47, Public Works (Railway), dated 19th November 1907, *B. G. G.*, 1907, Pt. I, p. 1887.

and if within the period so prescribed such requisition is not complied with, the Governor in Council may cause such work to be done and the cost thereof shall be recoverable from the Promoter. The certificate of the Governor in Council shall be conclusive evidence that all expenses referred to in such certificate have been incurred in carrying out such work and the Promoter shall not be at liberty to dispute the same.

Lopping trees without permission or urgent necessity prohibited.

36. The Promoter shall not, without the consent in writing of the Collector of Kolaba, cut down or lop any tree growing along or by the side of the Tramway, save that growing on land duly made over to him for the purposes of the Tramway; provided that in the case of emergency the Promoter may remove or lop the branches or any portion of the tree which projects or hangs in such a manner as to be a source of danger or impediment to the Tramway traffic.

Miscellaneous.

Telegraphs.

37. Should the Promoter desire at any time to time to have a telegraph line erected along the Tramway the same shall be constructed and maintained by the Imperial Telegraph Department, on the same terms as regards charges for rent and maintenance, and on the same general conditions, as may be from time to time in force in the case of State Railways. The Prmoter shall work the line in strict accordance with the rules which have been or which from time to time may be authorized by the Governor General in Council for the adoption and working of licensed railway telegraph lines in British India.

Police.

38. Should experience appear to the Governor in Council to prove that Police are required at any or all the stations on the Tramway, the Governor in Council shall provide and maintain for the preservation of law and order such a force of Police as he may in consultation with the Promoter consider necessary. Three-tenths of the cost of any Police so provided and maintained including incidental expenses appertaining thereto, shall be borne by Government and the remaining seven-tenths by the Promoter.

Guarantee that no concession shall be given for the construction of any other Rail or Tram line to the Mátherán Hill Station till the undertaking is either discontinued or purchased by Government.

39. The Governor in Council guarantees that no concession shall be given for the construction of any other Rail or Tram line to the Mátherán Hill Station either from Neral Station or any other place until such time as the Tramway to be constructed by the Promoter shall either have been discontinued or shall have been purchased by Government under the terms for its purchase provided in clauses 43 and 44.

Transfer of the undertaking to a Company.

40. The Promoter shall have power to transfer the undertaking, with the assent of Governor in Council previously obtained, but not otherwise, to any other person or persons or to a Company.

Statistics.

41. The Promoter shall furnish without unreasonable delay and free of cost such statistics relating to the tramway or to the traffic thereon as may from time to time be required by the Governor in Council.

Penalty for failure of Promoter to comply with any condition or direction.

42. (1) If the promoter fails to observe any condition or direction contained in or made under this Order, he shall for each such failure to observe the same be liable to penalty which may extend to two hundred rupees, and, in the case of continuing failure, to a further penalty which may extend to fifty rupees for each day after the first during which such failure continues.

(2) The Governor in Council may remit the whole or any part of any penalty to which the Promoter becomes liable under this clause.

(3) Every penalty recovered under this clause shall be applied as the Governor in Council may from time to time direct.

Purchase of Undertaking.

Purchase of undertaking.

43. The Governor in Council may, by giving to the Promoter not less than (6) six calendar months' notice in writing of his intention to do so, purchase the undertaking as a going concern from the Promoter on the first day of January of the year one thousand nine hundred and forty or at the expiration of any subsequent period of five years, and on and from the date of such purchase this order shall be held to be determined and its provisions to have ceased to be of effect, and on that date the Promoter, without acquiring or having the right to any compensation or payment in respect of the undertaking except as to the purchase-money hereinafter specially provided, shall relinquish and give up to the Governor in Council possession of all land which, being the property of Government may have been made over for the purposes of the undertaking under clause 9 above (so far as the same has not then been already restored to the Governor in Council), as also any other land which Government may have acquired for the Promoter and at his cost under clause 10 (so far as the same shall not have then been sold or disposed of by the Promoter under the provisions of same clause), and such other land or lands which the Promoter may have acquired by private negotiation for the *bonâ fide* purposes of the undertaking, as may then be utilized for the undertaking, together with all the stations, station yards, sidings, crossing places, bridges, viaducts, offices, warehouses, houses for employés, fixed machinery, conveniences, works, bridges, rails, fixtures and plant erected or being on the land to be relinquished and given up under this clause or in anywise belonging to the undertaking or any part thereof, and all the rolling stock, moveable machinery, live stock, carriages, vehicles, plant and articles belonging to the undertaking and appropriated, either as regards purposes of construction or otherwise, to the said undertaking or any part thereof or any of the works or adjuncts thereof, and shall also deliver to the Governor in Council all plans, books, surveys, sections, printing, writings and documents whatsoever in anywise connected with, or with the construction of, the undertaking, or any of the works or adjuncts thereof inclusive as aforesaid. All the particulars mentioned in this clause shall, at the time when the Governor in Council shall under this clause become entitled to the delivery thereof so far as then already not belonging to the Governor in Council, become his absolute property free, both as between the Governor in Council on the one hand and the Promoter on the other and as between the Governor in Council and the encumbrances (if any), from all encumbrances whatsoever created by the Promoter and the Governor in Council shall not be affected by any charge or encumbrances of any kind created by the Promoter on any moveable or

immveable property, which during the continuance of this order shall be in the possession of the Promoter, whether belonging to the Governor in Council or to the said Promoter.

Amount of purchase-money.

44. The price to be paid by the Governor in Council for the undertaking on its purchase, as hereinabove provided for, shall be the sum representing in the currency of the time being the aggregate of (25) twenty-five times the average net earnings of the undertaking for the (3) three calendar years immediately preceding the date of purchase as above provided, and the said amount of purchase-money shall be held to be payable to the said Promoter at the Government Treasury, Bombay, on the date of such purchase. Provided, however, that the amount shall not be paid by the Governor in Council until such time as the net earnings of the undertaking for the calendar year immediately preceding the date of purchase are definitely known, but the payment shall not be delayed beyond the thirtieth day of April following the date of purchase, and the Governor in Council shall pay to the said Promoter, in addition to the purchase-money calculated as above, a further sum representing interest at the rate of three per centum per annum on the amount of purchase-money calculated as above for the period from the date of purchase up to and inclusive of the day on which the said purchase-money, together with the further amount representing interest thereon at the rate and for the period hereinmentioned, shall be tendered for payment to the said Promoter.

Schedule.

Standard Dimensions to be observed on the Mátherán Tramway.

GENERAL.

Formation, Single Line—

(1)	Minimum width in embankment	10 feet.
(2)	,, ,, over ballast walls in cuttings ...	8 ,,
(3)	,, ,, of cuttings (including side drains) ...	13 ,,

Curves—

(4)	Minimum length of tangent between reverse circular curves	40 feet.
(5)	,, radius of curvature in ordinary country ...	573 ,,
(6)	,, ,, ,, rough country ...	200 ,,
(7)	,, ,, ,, specially difficult places.	60 ,,

Ballast—

(8)	Normal width of ballast at level of foot of rails ...	5 feet.
(9)	,, depth of ballast below sleepers	6 inches.
(10)	,, quantity of ballast per foot run ...	5·5 c. ft.

Permanent-way—

(11)	Minimum dimensions for timber cross sleepers, length.	4 feet.
(12)	,, ,, ,, breadth ...	6 inches.
(13)	,, ,, ,, depth ...	4 ,,
(14)	,, number of cross sleepers per mile ...	1,980

N.B.—On open bridges, where the cross sleepers rest directly on longitudinal girders, the sleepers should be spaced not more than 1 foot 6 inches centre to centre.

Rails—

(15) Weight of rail, lbs. per yard ... ... 30 lbs.
(16) Maximum clearance of guard rail for points and crossings ... $1\frac{5}{8}$ inches.
(17) Minimum „ „ „ ... $1\frac{3}{8}$ „
(18) Minimum clearance at curves and level-crossings ... $1\frac{1}{2}$ „

N.B.—The maximum clearance of guard rails on sharp curves will vary according to the radius of curve.

(19) Minimum depth of space for wheel flange from rail level ... ... $1\frac{1}{4}$ inches.

Bridge-work or fixed Structures outside Station limits—

(20) Minimum horizontal distance from centre of track to any structure out of Stations from 9 inches above rail level to a height of 9 feet 6 inches above rail level ... ... 5 feet.
(21) Minimum horizontal distance from centre of track from rail level to 9 inches above rail level ... 3 ft. 6 in.

N.B.—(*a*) Material stacked by the side of the line is to be considered a structure in the sense in which the word is here used.

(*b*) Where the line is on a curve the horizontal distance of a fixed structure from the centre of adjacent track is to be increased conformably with the sharpness of the curve and the over all length of the stock to be used.

(22) Minimum height above rail level for 3 feet from centre of track for over-bridges out of stations ... 12 ft. 6 in.
(23) Minimum height above rail level for telegraph wires crossing the line, or above surface of road where carried over roads at level crossings ... ... 20 feet.

Tunnels—

*(24) Minimum height above rail level at centre ... 11 feet.
*(25) „ width at rail level for full lining ... 11 „
*(26) „ „ at 6 feet above rail level ... 11 „

N.B.—Add allowance for sharp curves.

STATION YARDS.

Spacing of Tracks—

Minimum distance centre to centre of tracks—

(27) Track nearest Station building to next track ... 12 feet.
(28) All other tracks in or out of Station yards ... 11 „
(29) Minimum clear available length of at least one siding at each station should be not less than 50 feet longer than the maximum length of ordinary trains.

Platforms—

(30) No platform walls are necessary; earth covered with cinders or gravel to be made up to rail level.

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* These items were substituted for the original items 24, 25 and 26, by Govt. Notn. No. 15, Public Works (Railway), dated 23rd April 1907, *B. G. G.*, 1907, Pt. I, p. 670.

Station Buildings and fixed Structures within Station limits—

(31)	Minimum distance from centre of nearest track to any building or continuous obstruction on a passenger platform	20 feet.
(32)	Minimum distance from centre of nearest track to any building or pillar or other structure in the vicinity of (but not on) a passenger platform, except a water column, temporary tank house, or point-handle, etc.	7 ,,
(33)	Minimum distance from centre of track to any post of any water-column, temporary tank stage, point-handle, lever or other signalling apparatus ...	6 ,,
(34)	Minimum height above rail level to tie rods or the underside of any continuous over-head fixture within 3 feet of centre of track in *passenger* stations ...	15 ,,
(35)	Minimum height of foot-bridges crossing the line in station	13 ft. 6 in.
(36)	Minimum radius of curve of crossings	60 feet.
(37)	,, width of running shed doorways ...	8 ,,
(38)	,, height of ,, ,, ,, if flat at top ...	10 ,,

LOCOMOTIVES AND ROLLING-STOCK.

Maximum moving dimensions—

(39)	Maximum width from rail level to level of floor of vehicle	6 ft. 9 in.
(40)	Maximum width from floor of vehicle to a height of 6 feet above rail level	6 ft. 3 in.
(41)	Maximum width from a height of 6 feet above rail level to top of vehicle	6 ft. 9 in.
(42)	Maximum width over open doors, including all fastenings or projections...	10 ft. 6 in.

N. B.—Horse-boxes, brake-vans and luggage-vans are exempted from this rule.

(43)	Maximum height from rail level for unloaded vehicles at centre	9 feet.

Loading Gauge for Goods—

(44)	Maximum width	6 ft. 11 in.
(45)	,, height from rail level at centre	9 ft. 1 in.
(46)	,, ,, ,, at sides	8 ft. 6 in.

Weight on a pair of Wheels—

(47)	Maximum per foot of diameter	2·25 tons.
(48)	,, per pound of weight of rail per yard ...	0·20 ton.
(49)	,, for locomotives under any circumstances...	6·0 tons.
(50)	,, for vehicles under any circumstances ...	4·0 ,,

Weight per foot run of Wheel-base—

(51)	Maximum weight per foot run of distance between centres of driving axles of engines, and between centres of axles of bogie trucks of either engines or vehicles	2·25 tons.

Weight per foot run of Wheel-base—*contd.*

(52) Maximum for engine and tender together in the case of tender engines ... ... 1·50 tons.
(53) Maximum for four-wheeled stock and for total wheel-base of bogie stock ... ... 1·25 „

Weight per foot run over Buffers—

(54) Maximum for tank engines... ... ... 0·90 ton.
(55) Maximum for engine and tender together in the case of tender engines ... ... 0·90 „
(56) Maximum for vehicles ... ... 0·55 „

Total Gross Weight—

(57) Maximum for engine and tender together in the case of tender engines ... ... 25 tons.
(58) Maximum for tank engines... ... ... 20 „

N.B.—(*a*) The weights given in items (47) to (58) are the maximum permissible under any ordinary circumstances with engine in working order and full load of fuel and water, and with the vehicles fully loaded. The weight on a pair of wheels includes the weight of the wheels, axles axle-boxes and springs.

(*b*) The maximum weights given above are not to be worked to until a certificate has been accepted by the Government Consulting Engineer for Railways to the effect that the bridges have been designed of sufficient strength to bear the proposed loads with safety.

(*c*) In exceptional cases however engines or vehicles of weights in excess of the specification given above may be used under the special sanction of the Governor in Council. Such special sanction must be obtained before the engines or vehicles are ordered, and the application for sanction must be accompanied by a diagram giving full particulars, and showing that the bridges on the section over which the engines or vehicles are intended to work are of sufficient strength.

Wheel-base—

(59) Maximum rigid wheel-base for locomotives ... 5 ft. 6 in.
(60) Maximum rigid wheel-base for four-wheeled stock ... 5 ft.
(61) Maximum rigid wheel-base for bogie stock ... 3 ft.

Buffers and Couplings—

*(62) Standard height above rail level for centre of buffers for half loaded vehicles ... ... 1 ft. 4 inches.

Height of Floors—

(63) Maximum mean height above rail level for floor of any vehicle unloaded ... ... 2 feet.
(64) Minimum height above rail level for floor of any vehicle fully loaded ... ... 1 ft. 1 in.
(65) Maximum range of springs of any individual vehicle. 2 inches.

Wheels and Axles—

(66) Minimum diameter on tread for new wheels ... 1 ft. 6 in.
(67) Standard diameter recommended for carriage and wagon stock... ... ... 1 ft. 9 in.
(68) Maximum projection of flange below rail level for worn tyres ... ... 1 inch.

Accommodation—

(69) Minimum width of seat per passenger ... ... 19·5 inches.
(70) „ floor area per passenger ... ... 3·5 s. ft.
(71) „ cubic capacity per passenger ... ... 2·2 c. ft.

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* This item was substituted for the original item No. 62 by Govt. Notn. No. 15, Public Works (Railway), dated 23rd April 1907, *B. G. G.*, 1907, Pt. I, p. 670.

RULES FOR THE REGULATION OF THE TRAMWAY AT NASIK.

Notn. No. 4276, General, dated 24th June 1908, B. G. G., 1908, Pt. I, p. 917.

The following Rules for the regulation of the Tramway at Násik made by the Násik Municipality in exercise of the powers conferred under Section 24, sub-section (2), of the Indian Tramways Act, 1886 (XI of 1886), having received the previous sanction of Government, are published for general information under Section 26 of the said Act:—

Rules.

Rate of speed to be observed in travelling.

1. The rate of speed to be observed by the Násik Tramway for the Tramway traffic shall in no case exceed five miles an hour from the point (Dhondo Mahadev's Howd) where the Tramway carriages enter the Násik City.

Number of passengers.

2. The maximum number of passengers in any carriage shall be twenty (20) and not more than four (4) on any one bench.

THE BOMBAY PRESIDENCY TRAMWAY RULES.

Notn. No. 3097, General, dated 24th June 1896, B. G. G., 1896, Pt. I, p. 691.

The following Rules made in exercise of the powers conferred on the Governor in Council by the Indian Tramways Act, 1886, are published under Section 26 of the said Act for general information:—

Rules.

Short title.

1. The Rules may be cited as "The Bombay Presidency Tramway Rules."

They shall apply to all tramways in the Presidency of Bombay constructed under "The Indian Tramways Act, 1886."

Interpretation.

2. The several words and expressions defined in Section 3 of the Indian Tramways Act, 1886, have in these Rules the same meanings respectively as are therein assigned to them.

Form of application by local authorities for an Order.

3. Every application by a local authority for an Order authorizing it to construct a tramway under the Indian Tramways Act, 1886, shall be made in duplicate in the following form:—

"To

THE SECRETARY TO THE GOVERNMENT OF BOMBAY,
GENERAL DEPARTMENT.

Sir,

The (*here the local authority applying should be designated by its proper title*) having, by resolution passed at a general meeting of the

(*Local Board, Municipality or other body, as the case may be*) duly convened for the purpose, a certified copy of which resolution is hereto annexed, decided that it is desirable that a tramway should be constructed and worked from to , a distance of not more than miles, I am instructed to submit this application on their behalf under Section 4 of the Indian Tramways Act, 1886, to His Excellency the Governor of Bombay in Council for an Order authorizing them to construct the said tramway.

This application is made with the consent of the , which is the road-authority of the road which is to be traversed by the tramway, as given in the resolution of that , dated , of which a certified copy is hereto annexed [*or* The (*local authority aforesaid*) is the road-authority of the road to be traversed by the tramway, *as the case may be*].

The particulars required by the Bombay Presidency Tramway Rules are herewith submitted, as per annexed list."

Such application shall be signed on behalf of the local authority making it by the President, Secretary, or other officer of the body who usually conducts correspondence on its behalf.

Form of application for Order in other cases.

4. Every application by any person other than a local authority for an Order authorizing him to construct a tramway under the said Act shall be made in duplicate in the following form and shall be signed by the applicant :—

"To

THE SECRETARY TO THE GOVERNMENT OF BOMBAY,
GENERAL DEPARTMENT.

Sir,

Being desirous of constructing and working a tramway from to , a distance of not more than miles, I (*or we*) hereby apply, under Section 4 of the Indian Tramways Act, 1886, to His Excellency the Governor of Bombay in Council for an Order authorizing me (*or us*) to construct the said tramway.

This application is made with the consent of the , which is the local authority, and of the , which is the road-authority (*or* of the , which is both the local authority and the road-authority, *as the case may be*) of the road which is to be traversed by the tramway, as given in the resolution (*or* resolutions) of that body (*or* those bodies respectively) of which a certified copy (*or* certified copies) is (*or* are) hereto annexed.

The particulars required by the Bombay Presidency Tramway Rules are herewith submitted, as per annexed list."

Approval or consent of local authority to application for Order how to be obtained.

5. Whenever it is proposed that a local authority shall make an application for an Order or shall consent to an application for an Order being made under the said Act, the making of such application or the giving of such consent shall be approved by a resolution passed by a majority at a general meeting of the Local Board, Municipality or other body constituting the local authority, duly convened for the purpose.

Plans and sections of works to be submitted by applicants.

6. Applicants for an Order under the said Act shall submit with their application the following plans and drawings in duplicate:—

(1) Map or plan of the district to the scale of not less than six inches to a mile, or, if no such map or plan is procurable, then the best map obtainable, with the proposed tramway marked thereon.

(2) An index plan or diagram, on a scale of not less than two inches to a mile, showing the general location of the proposed tramway.

(3) A drawing consisting of a full-sized section of the proposed rail, and full-sized plan and elevation of the same extending to about nine inches on each side of the joint, and showing how the joint is proposed to be secured.

(*There should be a statement on this drawing giving the material, weight and length of the proposed rail and fish-plates, and the depth and width of the groove.*)

(4) A drawing, on a scale of two inches to the foot, consisting of a plan, cross-section and longitudinal section of the permanent-way and substructure of the tramway, and showing the mode of fixing the rails and chairs, if any, and the gauge ties, if any.

(*There should be a statement on this drawing giving the nature of the paving proposed to be adopted between the rails, and for a distance of eighteen inches outside the rails. There should also be on this drawing a plan, on a scale of one inch to a foot, of the points proposed to be employed at single line passing-places and junctions.*)

(5) The drawings required under (2), (3) and (4) should be on tracing cloth.

Deposits required before publication of Order.

7. Before an Order authorising the construction of a tramway is published under Section 6, sub-section (4), the promoters, unless they are a local authority, shall deposit with the Collector of the district within the limits of which it is desired to construct the tramway, a sum in Government paper, or in such other form as Government may direct, which shall be equal to five per cent. of the estimated cost of the works or such sum as the Governor in Council may decide.

Receipts for deposits to be given.

8. A receipt for all sums or securities so deposited shall be given to the promoters by the officer with whom the same are so deposited.

Deposits to be lodged with the Accountant General.

9. All Government papers so deposited shall be lodged with the Accountant General.

Investment of deposits.

Any sum deposited in cash may be invested in the Government Savings Bank by the officer with whom it is so deposited.

Interest on deposits how to be dealt with.

10. (1) The interest, if any, accruing due on the Government securities during the period of deposit shall be drawn by the Accountant General and shall be invested by him in Government securities and added to the principal deposit.

(2) Any small balance of the interest which cannot be so invested shall be remitted to the Collector for deposit in the Savings Bank.

(3) When the amount of deposit by the Collector in the Savings Bank reaches the maximum amount permissible under the Savings Banks Rules, it shall be remitted by the Collector to the Accountant General, Bombay, for investment in Government securities, which shall be lodged, together with the principal deposit, with the Accountant General.

Fees to be charged in respect of Government paper lodged with the Accountant General.

(4) The following fees shall, in addition to any actual outlay on brokerage, be chargeable by the Accountant General in respect of Government paper lodged with him under these Rules, *viz.*:—

(i) one-eighth per cent. on all purchases and sales of Government securities made by him under these Rules.

(ii) one-quarter per cent. on all interest realized by him under these Rules.

Forfeiture of deposit and application thereof to liabilities and penalties incurred by promoters.

11. At the expiration of the time specified in the Order for the completion and opening of the tramway, should the promoter fail to discharge any liability to Government or to any local or road authority incurred by him in connection with the tramway, or any penalty which under the provisions of any Order under Section 7 or further Order under Section 8 of the Act he may have incurred, such sum or securities shall be forfeited to Government, and the Governor in Council may apply any sum so deposited to the discharge of such liability or penalty or may realise by sale of any such securities any sum so due from the promoter and apply such sum to the discharge of such liability or penalty.

Return of balance to promoter.

12. Any surplus, whether as principal or interest, remaining to the credit of the promoter after the discharge of all such liabilities and penalties and after deducting such commission as may be chargeable under clause (4) of Rule 10 shall be paid or returned to the promoter on his producing and giving up the receipt for the original deposit granted by the officer with whom the original deposit was made and on the promoter giving to the officer who repays or returns such surplus a receipt acknowledging such repayment or return.

Maximum number of passengers that may be carried in each carriage to be notified.

13. The maximum number of passengers that may be carried in each carriage shall be distinctly exhibited in a conspicuous place on such carriage in English and in the vernacular language of the district.

Notice to be given by promoter when inspection is desired.

14. If the promoter of a tramway desires that the same or any portion thereof shall be inspected under Section 12 of the Indian Tramways Act in view to the same being opened for public traffic, he shall give to the Secretary to Government, General Department, or to such other officer as Government from time to time appoints in this behalf, notice in writing of his desire not less than fourteen days before the date on which the tramway or portion thereof will be ready for inspection.

Information to be given to accidents on tramway.

15. The manager or chief officer of a tramway shall, within forty-eight hours after the occurrence upon the tramway of—

(*a*) any accident attended with loss of human life or serious injury to person or property,

(*b*) any accident of a description which the Governor in Council may, from time to time, direct to be notified,

give notice thereof to the Secretaries to the Government of Bombay in the Judicial and General Departments; and shall be responsible that notice of such accident be given in writing or by telegram to the nearest Magistrate and to the officer in charge of the police station in the jurisdiction of which the accident occurs, and to such other person, if any, as Government may from time to time direct.

Fares to be paid on demand.

16. Each passenger shall, upon demand, pay to the conductor or other duly authorized officer the fare legally demandable for the journey.

Tickets to be shown and delivered on demand.

17. Each passenger shall show his ticket (if any have been supplied to him) when required to do so by any duly authorized servant of the promoter, and shall also deliver up such ticket upon demand to any servant of the promoter duly authorized to collect tickets.

The public prohibited from riding on steps of carriages, etc.,

18. No passenger or other person, not being a servant of the promoter, shall ride or attempt to ride on the steps or any other part of a carriage upon any tramway, except on those parts which are intended for the accommodation of passengers.

or on engine.

19. No person shall, without permission of the promoter, ride or attempt to ride upon any locomotive engine upon any tramway or in or upon any vehicle not appropriated to the carriage of passengers.

Loaded fire-arms not allowed in carriage.

20. No person shall travel in or on any carriage on a tramway with loaded fire-arms.

Obstruction to tramway employés.

21. No person shall wilfully obstruct or impede any officer or servant of the promoter in the execution of his duty in connection with a tramway.

Entering carriage already full, prohibited.

22. When any carriage contains the maximum number of passengers fixed by competent authority for such carriage, no additional passenger shall enter, mount, or remain in or on any such carriage when warned by a servant of the promoter not to do so.

Disorderly behaviour, etc., prohibited.

23. No person in a state of intoxication shall, after he has been desired by a servant of the promoter not to do so, enter or remain in or on any tramway-carriage, and no person who is suffering from an infectious disease shall enter any tramway-carriage, and no person shall commit any nuisance or act of indecency in any tramway-carriage or shall wilfully and without lawful excuse interfere with the comfort of any passenger or extinguish any lamp in any tramway-carriage.

Regulating the use of animal power on tramways.

24. When animal power is used the draught animals shall be subject to inspection by the police. The promoter shall afford all reasonable facilities for such inspection, and shall, on an order by a Magistrate, remove any animal

found unfit for working on the tramway from such work and shall not re-employ such animal on such work unless and until, on its being again inspected by the police, it has been declared fit for such work by a Police officer not lower in rank than a Chief Constable.

Front lamp to be provided between sunset and sunrise.

25. When any engine or vehicle is run on a tramway between sunset and sunrise, it shall be provided with at least one lamp lighted and brightly burning to the front.

Lamp for convenience of passengers between sunset and sunrise.

26. When any vehicle is run on a tramway between sunset and sunrise for the conveyance of passengers, it shall be lighted with a lamp or lamps for the convenience of the passengers using the same.

Manner of publishing rules made by local authority, promoter or lessee.

27. The publication of any rule or rules made by a local authority or by a promoter or lessee under Section 24 (2) and (3) shall be

(i) by insertion once in the *Bombay Government Gazette* and in not less than three issues of a local newspaper (if any);

(ii) by affixing copies in English and in the vernacular language of the district in conspicuous spots in the towns or villages served or to be served by the tramway, and at stations or other principal places on the line of the tramway.

Penalties.

28. Any person committing a breach of Rule 15 shall be punished with fine which may extend to forty rupees, and, for every day after the first during which the breach continues, with fine which may extend to twenty rupees.

Any person committing a breach of any of the foregoing rules, viz., 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26, shall be punished with fine which may extend to twenty rupees.

Any person committing a breach of Rule 24 shall be punished with fine which may extend to twenty rupees, and for every day after the first during which the breach continues with fine which may extend to five rupees.

Languages in which orders are to be published.

29. Orders authorising the construction of tramways shall be published in the *Bombay Government Gazette* in the following languages as well as in English, *viz.*:

In the case of tramways to be constructed in Sind—In the Sindhi and Hindustani languages.

In the case of tramways to be constructed in the districts of Belgaum, Dhárwár, Kánara and Sholápur-Bijápur—In the Maráthi and Kánarese languages.

In the case of tramways to be constructed in any other district—In the Maráthi and Gujaráthi languages.

Manner in which local authority shall approve requisition on promotor to sell undertaking.

30. The making of any requisition by a local authority requiring a promoter to sell to such local authority his undertaking or any part thereof shall be approved by a resolution passed by a majority at a general meeting of the Local Board, Municipality or other body constituting such local authority duly convened for the purpose.

Notice to be given by local authority of intention to lease undertaking.

31. A local authority intending to make a lease of the right of user of any tramway and of demanding and taking the authorised tolls of which it has authority to make a lease approved by Government, shall give notice of its intention to make such lease in the *Bombay Government Gazette*, in at least one English and one vernacular daily newspaper published in Bombay and in the local newspapers published within its circle. Such notice shall set forth the conditions which will be binding on the lessee.

RULES AND ORDERS UNDER ACT XIII OF 1886.

SECURITIES.

APPLYING SUB-SECTION (1) OF SECTION 7 OF THE ACT TO THE OFFICE OF THE CHIEF ACCOUNT OFFICER, SALT AND CUSTOMS, BOMBAY.

Govt. of India, Finance and Commerce dept., Notn. No. 3116-A., dated 16th July 1897, republished in Govt. Notn. No. 3187, dated 21st idem, B. G. G., 1897, Pt. I, p. 1338.

His Excellency the Governor General in Council is pleased to declare that sub-section (1) of Section 7 of the Indian Securities Act XIII of 1886, applies to the office of the Chief Account Officer, Salt and Customs, Bombay.

APPLYING SUB-SECTION (1) OF SECTION 7 OF THE ACT TO CERTAIN OTHER OFFICERS.

Govt. of India, Finance dept., Notn. No. 6803-A., dated 7th December 1905, republished in Govt. Notn. No. 523, Judicial, dated 31st January 1906, B. G. G., 1906, Pt. I, p. 114.

In exercise of the powers conferred by Section 7, sub-section (1), of the Indian Securities Act, 1886 (XIII of 1886), and in supersession of the Notifications in the Finance Department, Nos. 6262-A. and 7900-A., dated the 3rd October and 13th December 1904, respectively, the Governor General in Council is pleased to declare that sub-section to apply to the following officers, namely:

* * * * * *

(7) Administrator General, Bombay.
(8) Official Assignee, Bombay.
(9) Official Trustee, Bombay.

Govt. of India, Finance dept., Notn. No. 4610-A., dated 14th August 1906, republished in Govt. Notn. No. 4537, Judicial, dated 21st August 1906, B. G. G., 1906, Pt. I, p. 1113.

In exercise of the power conferred by Section 7, sub-section (1), of the Indian Securities Act, 1886 (XIII of 1886), the Governor General is pleased to declare that the sub-section shall apply to the Sheriff of Bombay.